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THE

HISTORY

OF THE

REBELLION,

BY

EDWARD EARL OF CLARENDON.

IN EIGHT VOLUMES.

Κτῆμα ἐς ἀεί. THUCYD.

Ne quid falsi dicere audeat, ne quid veri non audeat. CICERO.

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THE

HISTORY

OF THE

REBELLION AND CIVIL WARS

IN

ENGLAND

TO WHICH IS ADDED

AN HISTORICAL VIEW OF THE AFFAIRS OF IRELAND,

BY

EDWARD EARL OF CLARENDON.

31881

A NEW EDITION,

EXHIBITING A FAITHFUL COLLATION OF THE ORIGINAL MS.,
WITH ALL THE SUPPRESSED PASSAGES;

ALSO

THE UNPUBLISHED NOTES OF BISHOP WARBURTON.

VOL. III.

OXFORD,
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MDCCCXXVI.

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THE

HISTORY

OF THE

REBELLION, &c.

BOOK V. CONTINUED.

THIS declaration was no sooner published, but his majesty likewise set forth an answer to that other declaration, of the twenty-sixth of May; in which he said, "that whosoever looked over the late re- "monstrance, entitled, *A Declaration of the Lords* "*and Commons*, of the twenty-sixth of May, would "not think that his majesty had great reason to be "pleased with it; yet he could not but commend "the plain dealing and ingenuity of the framers "and contrivers of that declaration, (which had "been wrought in a hotter and quicker forge than "any of the rest,) who would no longer suffer his "majesty to be affronted by being told, they would "make him a great and glorious king, whilst they "used all possible skill to reduce him to extreme "want and indigency; and that they would make "him to be loved at home, and feared abroad, whilst "they endeavoured, by all possible ways, to render "him odious to his good subjects, and contemptible

1642.

The king's answer to the declaration of May 26, 1642.

BOOK V. 1642.

" to all foreign princes; but, like round dealing men,
" told him, in plain English, that they had done him
" no wrong, because he was not capable of receiving
" any; and that they had taken nothing from him,
" because he had never any thing of his own to lose.
" If that doctrine were true, and that indeed he
" ought to be of no other consideration, than they
" had informed his people in that declaration, that
" gentleman was much more excusable, that said
" publicly, unreproved, that the happiness of the
" kingdom did not depend on his majesty, or upon
" any of the royal branches of that root: and the
" other, who said, his majesty was not worthy to be
" king of England: language very monstrous to be
" allowed by either house of parliament; and of
" which, by the help of God, and the law, he must
" have some examination. But, he doubted not, all
" his good subjects did now plainly discern, through
" the mask and vizard of their hypocrisy, what their
" design was; and would no more look upon the
" framers and contrivers of that declaration, as upon
" both houses of parliament, (whose freedom and
" just privileges he would always maintain; and in
" whose behalf, he was as much scandalized as for
" himself,) but as a faction of malignant, and[a] schis-
" matical, and ambitious persons; whose design was,
" and always had been, to alter the whole frame of
" government, both of church and state; and to sub-
" ject both king and people to their own lawless, ar-
" bitrary power and government: of whose persons,
" and of whose designs,[b] his majesty said, he would,
" within a very short time, give his good subjects,

[a] and] *Not in MS.*

[b] designs,] design,

" and the world, a full, and, he hoped, a satisfactory narration. BOOK V. 1642.

" The contrivers and penners of that declaration " (of whom his majesty would be only understood to " speak, when he mentioned any of their undutiful " acts against him) said, that the great affairs of the " kingdom, and the miserable bleeding condition of " Ireland,[c] would afford them little leisure to spend " their time in declarations, answers, and replies. " Indeed, his majesty said, the miserable and deplo- " rable condition of both kingdoms would require " somewhat else at their hands: but he would glad- " ly know how they had spent their time since the " recess, (then almost eight months,) but in declara- " tions, remonstrances, and invectives against his " majesty and his government; or in preparing mat- " ter for them. Had his majesty invited them to " any such expense of time, by beginning arguments " of that nature? Their leisure, or their inclination, " was not as they pretended: and what was their " printing and publishing their petitions to him; " their declarations and remonstrances of him; their " odious votes and resolutions, sometimes of one, " sometimes of both houses, against his majesty, " (never in that manner communicated before this " parliament,) but an appeal to the people? And, in " God's name, let them judge of the persons they " had trusted.

" Their first quarrel was (as it was always, to let " them into their frank expressions of his majesty, " and his actions) against the malignant party; " whom they were pleased still to call, and never

[c] of Ireland,] of the kingdom of Ireland,

BOOK V. 1642.

"to prove to be, his evil counsellors. But indeed "nothing was more evident, by their whole proceed- "ings, than that, by the malignant party, they in- "tended all the members of both houses who agreed "not with them in their opinion, (thence had come "their distinction of good and bad lords; of per- "sons ill affected to[d] the house of commons; who "had been proscribed, and their names listed, and "read in tumults,) and all the persons of the king- "dom who approve not of their actions. So that, "if in truth they would be ingenuous, and name the "persons they intended; who would be the men, "upon whom the imputation of malignity would "be cast, but they who had stood stoutly and im- "mutably for the religion, the liberties, the laws, for "all public interest; (so long as there was any to be "stood for;) they, who had always been, and still "were, as zealous professors, and some of them as "able, and earnest defenders of the protestant doc- "trine against the church of Rome, as any were; "who had often and earnestly besought his majesty "to consent, that no indifferent and unnecessary ce- "remony might be pressed upon weak and tender "consciences, and that he would agree to a bill for "that purpose? They to whose wisdom, courage, "and counsel, the kingdom owed as much as it "could to subjects; and upon whose unblemished "lives envy itself could lay no imputation; nor en- "deavoured to lay any, until their virtues brought "them to his majesty's knowledge and favour? His "majesty said, if the contrivers of that declaration "would be faithful to themselves, and consider all

[d] to] of

"those persons of both houses, whom they, in their "own consciences, knew to dissent from them in the "matter and language of that declaration, and in all "those undutiful actions, of which he complained, "they[e] would be found in honour, fortune, wisdom, "reputation, and weight, if not in number, much su-"perior to them. So much for the evil counsellors.

"Then what was the evil counsel itself? His ma-"jesty's coming from London (where he, and many, "whose affections to him were very eminent, were "in danger every day to be torn in pieces) to York; "where his majesty, and all such as would put them-"selves under his protection, might live, he thanked "God and the loyalty and affection of that good "people, very securely: his not submitting himself "absolutely (and renouncing his own understand-"ing) to the votes and resolutions of the contrivers "of that declaration, when they told his majesty, "that they were above him; and might, by his own "authority, do with his majesty what they pleased: "and his not being contented, that all his good sub-"jects' lives and fortunes should be disposed of by "their votes; but by the known law of the land. "This was the evil counsel given, and taken: and "would not all men believe, there needed much "power and skill of the malignant party, to infuse "that counsel into him? And then, to apply the "argument the contrivers of that declaration made "for themselves, was it probable, or possible, that "such men, whom his majesty had mentioned, (who "must have so great a share in the misery,) should "take such pains in the procuring thereof; and

[e] they] and they

BOOK V. 1642.

"spend so much time, and run so many hazards, "to make themselves slaves, and to ruin the free- "dom of this nation?

"His majesty said, (with a clear and upright con- "science to God Almighty,) whosoever harboured "the least thought in his breast, of ruining or vio- "lating the public liberty, or religion of the king- "dom, or the just freedom and privilege of parlia- "ment, let him be accursed; and he should be no "counsellor of his, that would not say *Amen*. For "the contrivers of that declaration, he had not said "any thing, which might imply any inclination in "them to be slaves. That which he had charged "them with, was invading[f] the public liberty; and "his presumption might be very strong and vehe- "ment, that, though they had no mind to be slaves, "they were not unwilling to be tyrants: what is ty- "ranny, but to admit no rules to govern by, but "their own wills? And they knew the misery of "Athens was at the highest, when it suffered under "the thirty tyrants."

"His majesty said, if that declaration had told "him, (as indeed it might, and as in justice it ought "to have done,) that the precedents of any of his "ancestors did fall short, and much below what had "been done by him, this parliament, in point of "grace and favour to his people; he should not "otherwise have wondered at it, than at such a "truth, in such a place. But when, to justify their "having done more than ever their predecessors did, "it told his good subjects, (as most injuriously and

[f] That which he had charged them with, was invading] That which he had charged them was with invading

" insolently it did,) that the highest and most un- 1642.
" warrantable precedents of any of his predecessors
" did fall short, and much below what had been
" done to them this parliament by him, he must
" confess himself amazed, and not able to under-
" stand them; and he must tell those ungrateful
" men, (who durst tell their king, that they might,
" without want of modesty and duty, depose him,)
" that the condition of his subjects, when, by what-
" soever accidents and conjunctures of time, it was
" at worst under his power, unto which, by no de-
" fault of his, they should be ever again reduced,
" was, by many degrees, more pleasant and happy,
" than that to which their furious pretence of re-
" formation had brought them. Neither was his
" majesty afraid of the highest precedents of other
" parliaments, which those men boldly (his good sub-
" jects would call it worse) told him they might,
" without want of modesty or duty, make their pat-
" terns. If he had no other security against those
" precedents, but their modesty and duty, he was in
" a miserable condition, as all persons would be who
" depended upon them.

" That declaration would not allow his inference,
" that, by avowing the act of sir John Hotham, they
" did destroy the title and interest of all his sub-
" jects to their lands and goods; but confessed, if
" they were found guilty of that charge, it were in-
" deed a very great crime. And did they not, in that
" declaration, admit themselves guilty of that very
" crime? Did they not say, Who doubts but that a
" parliament may dispose of any thing, wherein his
" majesty, or his subjects, had a right, in such a
" way as that the kingdom might not be in danger

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" thereby? Did they not then call themselves this
" parliament, and challenge that power without his
" consent? Did they not extend that power to all
" cases, where the necessity or common good of the
" kingdom was concerned? And did they not arro-
" gate to themselves alone, the judgment of that
" danger, that necessity, and that common good of
" the kingdom? What was, if that were not, to un-
" settle the security of all men's estates; and to ex-
" pose them to an arbitrary power of their own? If
" a faction should at any time by cunning, or force,
" or absence, or accident, prevail over a major part
" of both houses; and pretend that there were evil
" counsellors,[g] a malignant party about the king;
" by whom the religion and liberty of the kingdom
" were both in danger, (this they might do, they had
" done it then,) they might take away, be it from
" the king, or people, whatsoever they in their judg-
" ments should think fit. This was lawful; they
" had declared it so: let the world judge, whether
" his majesty had charged them unjustly; and whe-
" ther they were not guilty of the crime, which
" themselves confessed (being proved) was a great
" one; and how safely his majesty might commit
" the power, those people desired, into their hands;
" who, in all probability, would be no sooner pos-
" sessed of it, than they would revive that tragedy,
" which Mr. Hooker related of the anabaptists in
" Germany; who, talking of nothing but faith, and
" of the true fear of God, and that riches and ho-
" nour were vanity; at first, upon the great opinion

[g] evil counsellors,] *The remainder of this answer of his majesty is in the handwriting of lord Clarendon's amanuensis.*

" of their humility, zeal, and devotion, procured " much reverence and estimation with the people; " after, finding how many persons they had ensnared " with their hypocrisy, they begun to propose to " themselves to reform both the ecclesiastical and " civil government of the state: then, because pos- " sibly they might meet with some opposition, they " secretly entered into a league of association; and " shortly after, finding the power they had gotten " with the credulous people, enriched themselves " with all kind of spoil and pillage; and justified " themselves upon our Saviour's promise, *The meek* " *shall inherit the earth;* and declared their title " was the same which the righteous Israelites had to " the goods of the wicked Egyptians: his majesty " said, this story was worth the reading at large, and " needed no application.

" But his majesty might by no means say, that " he had the same title to his town of Hull, and " the ammunition there, as any of his subjects had " to their land or money: that was a principle, that " pulled up the foundation of the liberty and pro- " perty of every subject. Why? because the king's " property in his towns, and in his goods bought " with the public money, as they conceive his ma- " gazine at Hull to be, was inconsistent with the " subjects' property in their lands, goods, and liberty. " Did those men think, that as they assumed a " power of declaring law, (and whatsoever contra- " dicted that declaration broke their privileges,) so " that they had a power of declaring sense and rea- " son, and imposing logic and syllogisms on the " schools, as well as law upon the people? Did not " all mankind know that several men might have

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"several rights and interests in the self-same house "and land, and yet neither destroy the other? "Was not the interest of the lord paramount con- "sistent with that of the mesne lord; and his with "that of the tenant; and yet their properties or in- "terests not at all confounded? And why might "not his majesty then have a full, lawful interest "and property in his town of Hull, and yet his sub- "jects[h] have a property in their houses too? But "he could not sell, or give away, at his pleasure, "this town and fort, as a private man might do his "lands or goods. What then? Many men have no "authority to let or set their leases, or sell their "land; have they therefore no title to them, or in- "terest in them? May they be taken from them, "because they cannot sell them? He said, the pur- "pose of his journey to Hull was neither to sell, or "give it away.

"But for the magazine, the munition there, that "he bought with his own money, he might surely "have sold that, lent, or given it away. No; he "bought it with the public money, and the proof "is, they conceive it so; and, upon that conceit, "had voted, that it should be taken from him. Ex- "cellent justice! Suppose his majesty had kept that "money by him, and not bought arms with it, would "they have taken it from him upon that conceit: "nay, might they not, wheresoever that money was, "(for through how many hands soever it hath passed, "it is the public money still, if ever it were,) seize "it, and take it from the owners? But the towns, "forts, magazine, and kingdom, is intrusted to his

[h] subjects] subject

" majesty; and he is a person trusted. His majesty
" said, he was so; God, and the law, had trusted him;
" and he had taken an oath to discharge that trust,
" for the good and safety of the people. What
" oaths they had taken, he knew not, unless those,
" which, in that violence, they had manifestly, mali-
" ciously violated. Might any thing be taken from
" a man, because he is trusted with it? Nay, may
" the person himself take away the thing he trusts,
" when he will, and in what manner he will? The
" law had been otherwise, and, he believed, would
" be so held, notwithstanding their declarations.

" But that trust ought to be managed by their
" advice, and the kingdom had trusted them for
" that purpose. Impossible, that the same trust
" should be irrecoverably committed to his majesty,
" and his heirs for ever, and the same trust, and a
" power above that trust, (for so was the power
" they pretended,) be committed to others. Did not
" the people, that sent them, look upon them as a
" body but temporary, and dissolvable[1] at his ma-
" jesty's pleasure? And could it be believed, that
" they intended them for his guardians and con-
" trollers in the managing of that trust, which God,
" and the law, had granted to him, and to his pos-
" terity for ever? What the extent of the commis-
" sion and trust was, nothing could better teach
" them than the writ, whereby they are met. His
" majesty said, he called them (and without that call
" they could not have come together) to be his coun-
" sellors, not commanders, (for, however they fre-
" quently confounded them, the offices were several,)

[1] dissolvable] dissoluble

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"and counsellors not in all things, but in some "things, *de quibusdam arduis*, &c. And they "would easily find among their precedents, that "queen Elizabeth, upon whose time all good men "looked with reverence, committed one Wentworth, "a member of the house of commons, to the Tower, "sitting the house, but for proposing that they "might advise the queen in a matter she thought "they had nothing to do to meddle in. But his "majesty is trusted: and is he the only person "trusted? And might they do what their own in- "clination and fury led[k] them to? Were they not "trusted by his majesty, when he first sent for "them; and were they not trusted by him, when "he passed them his promise, that he would not "dissolve them? Could it be presumed, (and pre- "sumptions go far with them,) that he trusted them "with a power to destroy himself, and to dissolve "his government and authority? If the people "might be allowed to make an equitable construc- "tion of the laws and statutes, a doctrine avowed "by them, would not all his good subjects swear, he "never intended by that act of continuance, that "they should do what they have since done? Were "they not trusted by those that sent them? And "were they trusted to alter the government of "church and state; and to make themselves per- "petual dictators over the king and people? Did "they intend, that the law itself should be subject "to their votes; and that whatsoever they said, or "did, should be lawful, because they declared it so? "The oaths they had taken who sent them, and with-

[k] led] bended

" out taking which, themselves were not capable of
" their place in parliament, made the one [l] incapable
" of giving, and the other of receiving such a trust;
" unless they could persuade his good subjects, that
" his majesty is the only supreme head and governor
" in all causes, and over all persons, within his do-
" minions; and yet that they had a power over him
" to constrain him to manage his trust, and govern
" his power, according to their discretion.

" The contrivers of that declaration told his ma-
" jesty, that they would never allow him (an humble
" and dutiful expression) to be judge of the law;
" that belonged only to them; they might, and must,
" judge and declare. His majesty said, they all
" knew what power the pope, under pretence of in-
" terpreting scriptures, and declaring articles of faith,
" though he decline the making the one or the
" other, had usurped over men's consciences; and
" that, under colour of having power of ordering all
" things for the good of men's souls, he entitles him-
" self to all the kingdoms of the world: he would
" not accuse the framers of that declaration, (how
" bold soever they were with his majesty,) that they
" inclined to popery, of which another maxim was,
" that all men must submit their reason and under-
" standing, and the scripture itself, to that declaring
" power of his: neither would he tell them, though
" they had told him so, that they use the very lan-
" guage of the rebels of Ireland: and yet they say
" those rebels declare, that whatsoever they do is for
" the good of the king and kingdom. But his [m]
" good subjects would easily put the case to them-

[l] the one] them

[m] his] as

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" selves, whether if the papists in Ireland in truth[n] " were, or, by art or accident, had made themselves " the major part of both houses of parliament there; " and had pretended the trust in that declaration " from the kingdom of Ireland; thereupon had voted " their religion and liberty to be in danger of extir- " pation from a malignant party of protestants and " puritans; and therefore, that they would put them- " selves into a posture of defence; that the forts and " the militia of that kingdom were to be put into " the hands of such persons, as they could confide " in; that his majesty was indeed trusted with the " towns, forts, magazines, treasures, offices, and peo- " ple of the kingdom, for the good, safety, and best " advantage thereof; but as his trust is for the use " of the kingdom, so it ought to be managed by the " advice of both houses of parliament, whom the " kingdom had trusted for that purpose, it being " their duty to see it discharged according to the[o] " condition and true intent thereof, and by all pos- " sible means to prevent the contrary: his majesty " said, let all his good subjects consider, if that " rebellion had been plotted with all that formality, " and those circumstances declared to be legal, at " least, according to the equitable sense of the law, " and to be for the public good, and justifiable by " necessity, of which they were the only judges, " whether, though they might have thought their " design to be more cunning, they would believe it " the more justifiable.

" Nay, let the framers of that declaration ask " themselves, if the evil counsellors, the malignant

[n] truth] trust [o] the] their

" party, the persons ill affected, the popish lords,
" and their adherents, should prove now, or here-
" after, to be a major part of both houses, (for it had
" been declared, that a great part of both houses
" had been such, and so might have been the
" greater; nay, the greater part of the house of
" peers was still declared to be such, and his ma-
" jesty[p] had not heard of any of their conversion;
" and thereupon it had been earnestly pressed, that
" the major part of the lords might join with the
" major part of the house of commons,) would his
" majesty be bound[q] to consent to all such altera-
" tions[r], as those men should propose to him, and
" resolve to be for the public good: and should the
" liberty, property, and security of all his subjects,
" depend on what such votes should declare to be
" law? Was the order of the militia unfit, and un-
" lawful, whilst the major part of the lords refused
" to join in it, (as they had done two or three seve-
" ral times, and it was never heard, before this par-
" liament, that they should be so, and so often
" pressed after a dissent declared,) and did it[s] grow
" immediately necessary for the public safety, and
" lawful by the law of the land, as soon as so many
" of the dissenting peers were driven away, (after
" their names had been required at the bar, con-
" trary to the freedom and foundation of parlia-
" ment,) that the other opinion prevailed? Did the
" life and liberty of the subject depend upon such
" accidents of days, and hours, that it was impos-

[p] his majesty] they

[q] would his majesty be bound] and his majesty bound

[r] such alterations] that alteration

[s] it] *Not in MS.*

BOOK V. 1642.

" sible for him to know his right in either? God " forbid.

" But now, to justify their invasion of his ma- " jesty's ancient, unquestioned, undoubted right, " settled and established on his majesty and his " posterity by God himself; confirmed and strength- " ened by all possible titles of compact, laws, oaths, " perpetual and uncontradicted custom, by his peo- " ple; what had they alleged to declare to the king- " dom, as they say, the obligation that lieth upon " the kings of this realm to pass all such bills, as are " offered unto them by both houses of parliament? " A thing never heard of till that day: an oath, (au- " thority enough for them to break all theirs,) that " is, or ought to be, taken by the kings of this " realm, which is as well to remedy by law such in- " conveniences the king may suffer, as to keep and " protect the laws already in being: and the form of " this oath, they said, did appear upon a record " there cited; and by a clause in the preamble of a " statute, made in the 25th year of Edw. III.

" His majesty said, he was not enough acquainted " with records to know whether that were fully and " ingenuously cited; and when, and how, and why, " the several clauses had been inserted, or taken out " of the oaths formerly administered to the kings of " this realm: yet he could not possibly imagine the " assertion that declaration made, could be deduced " from the words or the matter of that oath: for " unless they had a power of declaring Latin, as " well as law, sure, *elegerit*, signified *hath* chosen, " as well as *will* choose; and that it signified so " there, (besides the authority of the perpetual prac-

" tice of all succeeding times;[t] a better interpreter
" than their votes,) it was evident, by the reference
" it had to customs, *consuetudines quas vulgus ele-*
" *gerit:* and could that be a custom, which the
" people should choose after this oath taken? And
" should a king be sworn to defend such customs?
" Besides, could it be imagined, that he should be
" bound by oath to pass such laws, (and such a law
" was the bill they brought to him of the militia,)
" as should put the power, wherewith he was
" trusted, out of himself, into the hands of other
" men; and divert and disable himself of all possible
" power to perform the great business of the oath;
" which was to protect them? If his majesty gave
" away all his power, or if it were taken from him,
" he could not protect any man: and what discharge
" would it be for his majesty, either before God or
" man, when his good subjects, whom God, and the
" law, had committed to his charge, should be
" worried and spoiled, to say that he trusted others
" to protect them? That is, to do that duty for him,
" which was essentially and inseparably his own.
" But that all his good subjects might see how faith-
" fully these men, who assumed this trust from them,
" desired to discharge their trust; he would be con-
" tented to publish, for their satisfaction, (a matter
" notorious enough, but what he himself never
" thought to have been put to publish, and of which
" the framers of that declaration might as well have
" made use, as of a Latin[u] record they knew many
" of his good subjects could not, and many of them-

[t] the perpetual practice of all succeeding times;] the trial and practice of all preceding times;

[u] Latin] *Left blank in MS.*

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" selves did not understand,) the oath itself he took " at his coronation, warranted and enjoined to it by " the customs and directions of his predecessors; " and the ceremony of theirs, and his taking it; " they might find it in the records of the exchequer; " this it is:

The sermon being done, the archbishop goeth to the king, and asks his willingness to take the oath usually taken by his predecessors:

The king sheweth himself willing, and goeth to the altar; the archbishop administers[y] these questions, and the king answereth them severally:

Episcopus. Sir, will you grant and keep, and by your oath confirm to the people of England, the laws and customs to them granted by the kings of England, your lawful and religious predecessors: and namely the laws, customs, and franchises granted to the clergy, by the glorious king saint Edward, your predecessor, according to the laws of God, the true profession of the gospel established in this kingdom, and agreeable to the prerogative of the kings thereof, and the ancient customs of this realm?

Rex. I grant, and promise to keep them.

Episc. Sir, will you keep peace, and godly agreement entirely, according to your power, both to God, the holy church, the clergy, and the people?

Rex. I will keep it.

Episc. Sir, will you, to your power, cause law,

[y] administers] administereth

justice, and discretion, in mercy and truth, to be executed in all your judgments?

Rex. I will. 1642.

Episc. Sir, will you grant to hold, and keep the laws, and rightful customs, which the commonalty of this your kingdom have; and will you defend and uphold them to the honour of God, so much as in you lieth?

Rex. I grant, and promise so to do.

Then one of the bishops reads this admonition to the king, before the people, with a loud voice.

Our lord and king, we beseech you to pardon, and to grant, and to preserve unto us, and to the churches committed to our charge, all canonical privileges, and due law, and justice; and that you would protect and defend us, as every good king, in his kingdom, ought to be protector and defender of the bishops, and churches under their government.

The king answereth:

With a willing and devout heart I promise, and grant my pardon; and that I will preserve and maintain to you, and the churches committed to your charge, all canonical privileges, and due law, and justice; and that I will be your protector and defender, to my power, by the assistance of God, as every good king, in his kingdom, in right ought to protect and defend the bishops, and the churches under their government.

BOOK V. 1642.

Then the king ariseth, and is led to the communion-table: where he makes a solemn oath, in sight of all the people, to observe the premises; and, laying his hand upon the book, saith:

THE OATH.

The things which I before[z] promised, I shall perform, and keep: so help me God, and the contents of this book.

His majesty said, "all the world might judge, "whether such doctrine, or such conclusions, as "those men brought, could follow, or have the least "pretence, from that oath: for the preamble of the "statute they cited, that told his majesty, that the "king was bound to remedy, by law, the mischiefs "and damages which happen to his people: his "majesty said, he was so; but asked, whether the "king were bound, by the preamble of that statute, "to renounce his own judgment, his own under-"standing in those mischiefs, and of these reme-"dies? How far forth he was obliged to follow the "judgment of his parliament, that declaration still "confessed to be a question. Without question, he "said, none could take upon them to remedy even "mischiefs, but by law, for fear of greater mischiefs "than those they go about to remedy.

"But his majesty was bound in justice to con-"sent to their proposals, because there was a trust "reposed in his majesty to preserve the kingdom, "by making new laws: he said, he was glad there

[z] I before] I have before

" was so; then he was sure no new law could be " made without his consent; and that the gentle- " ness of his answer, *Le roy s'avisera*, if it be no " denial, it is no consent; and then the matter was " not great. They would yet allow his majesty a " greater latitude of granting, or denying, as he " should think fit, in public acts of grace, as par- " dons, or the like grants of favour: why did they " so? If those pardons, and public acts of grace, " were for the public good, (which [a] they might vote " them to be,) they would then be absolutely in " their own disposal; but had they left that power " to his majesty? They had sure, at least, shared it " with him; how else had they got the power to " pardon sergeant-major-general Skippon, (a new " officer of state, and a subject his majesty had no " authority to send to speak with,) and all other " persons employed by them, and such as had em- " ployed themselves for them, not only for what " they had done, but for what they should do? If " they had power to declare such actions to be no " treason, which his majesty would not pardon; " such actions to be treason, which need no pardon; " the latitude they allowed his majesty of granting, " or denying of pardons, was a jewel they might " still be content to suffer his majesty to wear in " his crown, and never think themselves the more " in danger.

1642.

" All this considered, the contriver of that mes- " sage, (since they would afford his majesty no bet- " ter title,) whom they were angry with, did not " conceive the people of this land to be [b] so void of

[a] which] while

[b] to be] *Not in MS.*

BOOK V. 1642.

" common sense, as to believe his majesty, who had
" denied no one thing for the ease and benefit of
" them, which in justice or prudence could be asked,
" or in honour and conscience could be granted, to
" have cast off all care of the subject's good; and
" the framers and devisers of that declaration (who
" had endeavoured to render his majesty odious to
" his subjects, and them disloyal to him, by [c] pre-
" tending such a trust in them) to have only taken
" it up: neither, he was confident, would they be
" satisfied, when they felt the misery and the bur-
" dens, which the fury and the malice of those peo-
" ple would bring upon them, with being told that
" calamity proceeded from evil counsellors, whom
" nobody could name; from plots and conspiracies,
" which no man could discover; and from fears and
" jealousies, which no man understood: and there-
" fore, that the consideration of it should be left to
" the conscience, reason, affection, and loyalty of his
" good subjects, who do understand the government
" of this kingdom, his majesty said, he was well
" content.

" His majesty asked, where the folly and mad-
" ness of those people would end, who would have
" his people believe, that his absenting himself from
" London, where, with his safety, he could not stay,
" and the continuing his magazine at Hull, pro-
" ceeded from the secret plots of the papists here,
" and to advance the design of the papists in Ire-
" land? But it was no wonder that they, who could
" believe sir John Hotham's shutting his majesty
" out of Hull, to be an act of affection and loyalty,

[c] by] they

" would believe that the papists, or the Turk, per-
" suaded him to go thither.

" And could any sober man think that declara-
" tion to be the consent of either, or both houses
" of parliament, unawed either by fraud or force;
" which (after so many thanks, and humble acknow-
" ledgments of his gracious favour in his message of
" the twentieth of January, so often, and so unani-
" mously presented to his majesty from both houses
" of parliament) now told him, that the message at
" first was, and, as often as it had been since men-
" tioned by him, had been a breach of privilege,
" (of which they had not used to have been so neg-
" ligent, as in four months not to have complained,
" if such a breach had been,) and that their own
" method of proceeding should not be proposed to
" them: as if his majesty had only authority to call
" them together, not to tell them what they were
" to do, not so much as with reference to his own
" affairs. What their own method had been, and
" whither it had led them, and brought the king-
" dom, all men see; what his would have been, if
" seasonably and timely applied unto, all men might
" judge; his majesty would speak no more of it.

" But see now what excellent instances they had
" found out, to prove an inclination, if not in his
" majesty, in some about him, to civil war: their
" going with his majesty to the house of commons,
" (so often urged, and so fully answered,) their at-
" tending on him to Hampton-court, and appearing
" in a warlike manner at Kingston upon Thames;
" his going to Hull; their drawing their swords at
" York, demanding, who would be for the king?
" the declaring sir John Hotham traitor, before the

BOOK V. 1642.

"message sent to the parliament; the propositions "to the gentry in Yorkshire, to assist his majesty "against sir John Hotham, before he had received "an answer from the parliament: all desperate in- "stances of an inclination to a civil war. Examine "them again: the manner and intent of his going "to the house of commons, he had set forth at "large, in his answer to their declaration of the "nineteenth of May; all men might judge of it. "Next, did they themselves believe, to what pur- "pose soever that rumour had served their turn, "that there was an appearance in warlike manner "at Kingston upon Thames? Did they not know, "that whensoever his majesty had been at Hamp- "ton-court, since his first coming to the crown, "there was never a less appearance, or in a less "warlike manner, than at the time they meant? "He said, he would say no more, but that his ap- "pearance in a warlike manner at Kingston upon "Thames, and theirs at Kingston upon Hull, was "very different. What was meant by the drawing "of swords at York, and demanding, who would be "for the king, must be inquired at London; for, "his majesty believed, very few in York understood "the meaning of it. For his going to Hull, which "they would by no means endure should be called "a visit, whether it were not the way to prevent, "rather than to make a civil war, was very ob- "vious: and the declaring him a traitor in the very "act of his treason, would never be thought unrea- "sonable,[d] but by those who believed him to be a "loving and loyal subject; no more than the en-

[d] unreasonable,] unseasonable,

"deavouring to make the gentlemen of that county "sensible of that treason, (which they were in an "honourable and dutiful degree,) before he received "the answer from both houses of parliament: for, "if they had been, as his majesty expected they "should have been, sensible of that intolerable in- "jury offered to him, might he not have had occa- "sion to have used the affection of these gentle- "men? Was he sure that sir John Hotham, who "had kept him out without their order, (he spake "of a public order,) would have let him in, when "they had forbidden him? And if they had not "such a sense of him, (as the case falls out to be,) "had he not more reason to make propositions to "those gentlemen, whose readiness and affection he, "or his posterity, would never forget?

"But this business of Hull sticks still with them; "and finding his questions hard, they are pleased to "answer his majesty, by asking other questions of "him: no matter for the exceptions against the "earl of Newcastle, (which have been so often "urged, as one of the principal grounds of their "fears and jealousies; and which drew that ques- "tion from him,) they asked his majesty, why, when "he held it necessary that a governor should be "placed in Hull, sir John Hotham should be re- "fused by him, and the earl of Newcastle sent "down? His majesty answered, because he had a "better opinion of the earl of Newcastle than of sir "John Hotham; and desired to have such a go- "vernor over his towns, if he must have any, as "should keep them for, and not against him: and "if his going down were in a more private way "than sir John Hotham's, it was because he had

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"not that authority to make a noise, by levying "and billeting of soldiers, in a peaceable time, upon "his good subjects, as it seemed sir John Hotham "carried down with him. And the imputation "which is cast by the way upon that earl, to make "his reputation not so unblemished, as he con- "ceived, and the world believes it to be; and which, "though it was not ground enough for judicial pro- "ceeding, (it is wonder it was not,) was yet ground "enough for[e] suspicion, must be the case of every "subject in England, (and he wished it went no "higher,) if every vile aspersion, contrived by un- "known hands, upon unknown or unimaginable "grounds, which is the way practised to bring any "virtuous and deserving men into obloquy, should "receive the least credit or countenance in the "world.

"They tell him, their exception to those gentle- "men, who delivered their petition to him at York, "was, that they presumed to take the style upon "them of all the gentry and inhabitants of that "county; whereas, they say, so many more of as "good quality as themselves, of that county, were "of another opinion; and have since, by their peti- "tion to his majesty, disavowed that act. Their "information in that point, his majesty said, was "no better than it useth to be; and they would "find, that neither the number or the quality of "those who have, or will disavow that petition, was "as they imagine; though too many weak persons "were misled (which they did, and would every "day more and more understand) by the faction,

[e] for] of

"skill, and industry of that true malignant party, "of which he did, and had reason to complain. "They said, they had received[f] no petition of so "strange a nature: what nature? Contrary to the "votes of both houses: that is, they had received "no petition they had no mind to receive. But his "majesty had told them again, and all his good "subjects would tell them, that they had received "petitions, with joy and approbation, against the "votes of both houses of their predecessors, con- "firmed and established into laws by the consent of "his majesty, and his ancestors; and allowed those "petitions to carry the style, and to seem to carry "the desires of cities, towns, and counties, when, of "either city, town, or county, very few known or "considerable persons had been privy to such peti- "tions: whereas, in truth, the petitions delivered "to his majesty, against which they except, carried "not the style of all, but some of the gentry and "inhabitants; and implied no other consent, than "such as went visibly along with it.

"But his majesty was all this while in a mis- "take; the magazine at Hull was not taken from "him. Who told them so? They who assure them, "(and whom without breaking their privileges they "must believe,) that sir John Hotham's shutting "the gates against his majesty, and resisting his "entrance with armed men, (though he thought it "in defiance of him,) was indeed in obedience to "him, and his authority; and for his service, and "the service of the kingdom. He was to let none "in, but such as came with his majesty's authority,

[f] received] *Not in MS.*

BOOK V. 1642.

"signified by both houses of parliament: himself "and they had ordered it so. And therefore he "kept his majesty out, only till his majesty, or he "himself, might send for their directions. His ma- "jesty said, he knew not whether the contrivers of "that declaration meant, that his good subjects "should so soon understand, though it was plain "enough to be understood, the meaning of the "king's authority, signified by both houses of par- "liament: but sure the world would now easily dis- "cern in what miserable case he had, by this time, "been, (it is bad enough as it is,) if he had[g] con- "sented to their bill, or to their ordinance of the "militia, and given those men power to have raised "all the arms of the kingdom against him, for the "common good, by his own authority: would they "not, as they had kept him from Hull, by this time "have beaten him from York, and pursued him out "of the kingdom, in his own behalf? Nay, might "not this munition, which is not taken from him, "be employed against him; not against his author- "ity, signified by both houses of parliament, but "only to kill those ill counsellors, the malignant "party, which is about him, and yet for his good, "for the public good, (they would declare it so,) and "so no treason within the statute of 25 Ed. III.? "which, by their interpretation, had left his ma- "jesty, the king of England, absolutely less pro- "vided for, in point of safety, than the meanest "subject of the kingdom: and every subject of this "land (for whose security that law was made, that "they may know their duty, and their danger in

[g] had] *Not in MS.*

" breaking of it) may be made a traitor when these " men please to say, he is so. But did they think " that, upon such an interpretation, (upon pretence " of authority of book cases and precedents, which, " without doubt, they would have cited, if they had " been to their purpose,) out of which nothing can " result, but confusion to king and people, would " find any credit with his good subjects? And that " so excellent a law, made both for security of king " and people, shall be so eluded, by an interpreta- " tion no learned lawyer in England would at this " hour, he believed, set under his hand, notwith- " standing the authority of that declaration; which, " he hoped, shall bring nothing but infamy upon " the contrivers of it?

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" Now to their privileges: though it be true, " they say, that their privileges do not extend to " treason, felony, or breach of the peace, so as to " exempt the members from all manner of process " and trial; yet it doth privilege them in the way " or method of their trial: the cause must be first " brought before them, and their consent asked, be- " fore you can proceed. Why then their privileges " extend as far in these cases, as in any that are " most unquestioned; for no privilege whatsoever " exempts them from all manner of process and " trial, if you first acquaint the house with it, and " they give you leave to proceed by those processes, " or to that trial: but, by this rule, if a member of " either house commit a murder, you must by no " means meddle with him, till you have acquainted " that house of which he is a member, and received " their direction for your proceeding, assuring your- " self, he will not stir from that place where you

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"left him, till you return with their consent; should "it be otherwise, it would be in the power of every "man, under the pretence of murder, to take one "after another, and as many as he pleaseth; and "so, consequently, bring a parliament to what he "pleaseth, when he pleaseth. If a member of ei- "ther house shall take a purse at York, (he may as "probably take a purse from a subject, as arms "against the king,) you must ride to London, to "know what to do, and he may ride with you, and "take a new purse every stage, and must not be "apprehended, or declared a felon, till you have "asked that house, of which he is a member; should "it be otherwise, it might be in every man's power "to accuse as many members as he would of taking "purses; and so bring a parliament, and so all par- "liaments, to nothing. Would these men be be- "lieved? And yet they make no doubt but every "one, who hath taken the protestation, would de- "fend this doctrine with his life and fortune. Would "not his subjects believe, that they had imposed a "pretty protestation upon them; and that they had "a very good end in the doing of it, if it obligeth "them to such hazards, to such undertakings? "Must they forget or neglect his majesty's person, "honour, and estate, which, by that protestation, "they are bound to defend; and, in some degree, "do understand? And must they only venture their "lives and fortunes to justify privileges they know "not, or ever heard of before? Or are they bound "by that protestation to believe, that the framers "of that declaration have power to extend their "own privileges, as far as they think fit; and to "contract his majesty's rights, as much as they

" please; and that they are bound to believe them " in either, and to venture their lives and fortunes " in that quarrel? 1642.

" From declaring how mean a person his majesty " is, and how much the kingdom hath been mis- " taken in the understanding of the statute of the " 25 E. III. concerning treason, and that all men " need not fear levying war against him, so they " have their order to warrant them; they proceed, " in the spirit of declaring, to certify his subjects in " the mistakings, which, near one hundred and fifty " years, have been received concerning the statute " of the 2 Hen. VII.[h] ch. 1. (a statute all good sub- " jects will read with comfort,) and tell them, that " the serving of the king for the time being cannot " be meant of Perkin Warbeck, or of any that should " call himself king; but such a one as is allowed and " received by the parliament in the behalf of the " kingdom: and was not his majesty so allowed? " However, through a dark mist of words, and urg- " ing their old privileges, (which, he hoped, he had " sufficiently answered, and will be every day more " confuted by the actions of his good subjects,) they " conclude, that those that shall guide themselves " by the judgment of parliament, which they say is " their own, ought, whatsoever happen, to be secure, " and free from all account and penalties, upon the " ground and equity of that very statute: how far " their own chancellors may help them in that equity, " his majesty knew not; but by the help of God, and " that good law, he would allow no such equity: so " then, there is the doctrine of that declaration; and " these are the positions of the contrivers of it.

[h] 2 Hen. VII.] eleventh year Hen. VII.

BOOK V. 1642.

1. That they have an absolute power of declaring the law; and that whatsoever they declare to be so, ought not to be questioned by his majesty, or any subject: so that all right and safety of him and his people must depend upon their pleasure.

2. That no precedents can be limits to bound their proceedings: so they may do what they please.

3. That the parliament may dispose of any thing, wherein the king or subject hath a right, for the public good; that they, without the king, are this parliament, and judge of this public good; and that his majesty's consent is not necessary: so the life and liberty of the subject, and all the good laws made for the security of them, may be disposed of, and repealed by the major part of both houses at any time present, and by any ways and means procured so to be; and his majesty had no power to protect them.

4. That no member of either house ought to be troubled or meddled with for treason, felony, or any other crime, without the cause first brought before them, that they may judge of the fact, and their leave obtained to proceed.

5. That the sovereign power resides in both houses of parliament; and that his majesty had no negative voice: so then his majesty himself must be subject to their commands.

6. That the levying of forces against the personal commands of the king, though accompanied with his presence, is not levying war against the king; but the levying war against his laws and authority, (which they have power to declare, and signify,) though not against his person, is levying war against the king: and that treason cannot be committed against his person, otherwise than as he is intrusted

with the kingdom, and discharging that trust; and that they have a power to judge, whether he discharges that trust or no. BOOK V. 1642.

7. That if they should make the highest precedents of other parliaments their patterns, there would be no cause to complain of want of modesty or duty in them; that is, they may depose his majesty when they will, and are not to be blamed for so doing.

"And now, (as if the mere publishing of their resolutions would not only prevail with the people, but, in the instant, destroy all spirit and courage in his majesty to preserve his own right and honour,) they had since taken the boldness to assault him with certain propositions; which they call the most necessary effectual means for the removing those jealousies and differences between his majesty and his people; that is,[1] that he would be content to divest himself of all his regal rights and dignities; be content with the title of a king, and suffer them, according to their discretion, to govern him and the kingdom, and to dispose of his children. How suitable and agreeable this doctrine and these demands were to the affection of his loving subjects, under whose trust these men pretend to say and do these monstrous things; and to design not only the ruin of his person, but of monarchy itself, (which, he might justly say, was more than ever was offered in any of his predecessors' times; for though the person of the king hath been sometimes unjustly deposed, yet the re-

[1] that is,] *Not in MS.*

BOOK V. 1642.

"gal power was never, before this[k] time, struck at,) "he believes his good subjects would find some way; "to let them and the world know; and, from this "time, such who had been misled, by their ill coun- "sels, to have any hand in the execution of the mi- "litia, would see to what ends their service was de- "signed; and therefore, if they should presume here- "after to meddle in it, they must expect, that he "would immediately proceed against them as actual "raisers of sedition, and as enemies to his sovereign "power,

"His majesty said, he had done: and should now "expect the worst actions these men had power to "commit against him; worse words they could not "give him: and he doubted not, but the major part "of both houses of parliament, when they might "come together with their honour and safety, (as "well those who were surprised at the passing of "it, and understood not the malice in it, and the "confusion that must grow by it, if believed; as "those who were absent, or involved,) would so far "resent the indignity offered to his majesty, the "dishonour to themselves, and the mischief to the "whole kingdom, by that declaration; that they "would speedily make the foul contrivers of it in- "stances of their exemplary justice; and brand "them, and their doctrine, with the marks of their "perpetual scorn and indignation."

Whilst this answer and declaration of his majesty's[l] was preparing and publishing, which was done with all imaginable haste, and to which they made no reply till many months after the war was begun,

[k] this] *Not in MS.* [l] majesty's] majesty

they proceeded in all their counsels towards the lessening his majesty, both in reputation and power; and towards the improving their own interests: for the first, upon the advantage of their former vote, of the king's intention to levy war against his parliament, in the end of May they published orders, "That the sheriffs of the adjacent counties should "hinder, and make stay of all arms and ammuni-"tion carrying towards York, until they had given "notice thereof unto the lords and commons; and "should have received their further direction; and "that they should prevent the coming together of "any soldiers, horse or foot, by any warrant of his "majesty, without their advice or consent:" which they did, not upon any opinion that there would be any arms or ammunition carrying to his majesty, they having entirely possessed themselves of all his stores; or that they indeed believed, there was any commission or warrant to raise soldiers, which they well knew there was not; but that, by this means, their agents in the country (which many sheriffs and justices of peace were; and most constables, and inferior officers) might, upon this pretence, hinder the resorting to his majesty, which they did with that industry, that few persons[m], who, foreseeing the design of those orders, did not decline the great roads, and made not pretences of travelling to some other place, and[n] travelled in any equipage towards his majesty, escaped without being stayed by such watches: and most that were so stayed, finding it to no purpose[o] to attend the resolution or justice of the houses,

[m] persons] *Not in MS.*

[n] and] who

[o] to no purpose] no boot

BOOK V. 1642.

who always commended the vigilance of their ministers, and did not expect they should be bound up by the letter of their orders, made shift to escape with their own persons, and were contented to leave their horses behind them; they who attended, to be repaired by the justice of the houses, finding so many delays, and those delays to be so chargeable, and themselves exposed to so many questions, and such an inquisition, that they thought their liberty a great prize, whatever they left behind them.

For the improving their interest and dependence, though they had as much of the affection[p] of the city as could reasonably be expected; and, by their exercise of the militia, had united them in a firm bond, the communication of guilt; yet they well understood their true strength consisted in the rabble of the people; for the greatest part of the substantial and wealthy citizens, being not of their party, and except some expedient were found out, whereby they might be involved, and concerned in their prosperity or ruin, they thought themselves not so much in truth possessed of that city, as they seemed to be. They had heard it said, that Edward IV. of England recovered the city of London, and by that the kingdom, by the vast debts that he owed there; men looking upon the helping of him to the crown, as the helping themselves to their money, which was else desperate. Upon this ground, they had taken the first opportunity of borrowing great sums of them, in the beginning of this parliament; when the richest and best affected men, upon a presumption that hereby the Scots army would suddenly march into

[p] as much of the affection] as much evidence of the affections

their own country, and the English as soon be disbanded, cheerfully furnished that money. Upon this ground they still forbore to repay those sums, disposing what was brought in upon the bills of subsidy, and other public bills, to other purposes. And now, to make themselves more sure of them, they borrowed another sum of 100,000*l.* of them, upon pretence of the great exigences of Ireland; which was their two-edged sword, to lead them into the liberty of laying what imputations they thought most convenient for their purposes, upon the king and queen; and to draw what money they thought fit from the city; and served them now to another important end, to raise soldiers; but that service itself, in order to suppressing the rebellion there, was not, in any degree, advanced. Having, by these means, thus provided for their main ends, they made the people believe they were preparing propositions to send to the king; and the people were yet so innocent as to believe, that they would never send propositions that were not reasonable: for though the unusual acts which had been done by the king, as the going to the house of commons, and demanding the members there, had put them into as unusual apprehensions; and those, by the warmth and heat of declarations and answers, had drawn from them, by degrees, another kind of language, than had before been used; yet most men believed, when those passions were digested, and that any propositions should be made by them, (which the king had long called for and invited,) that they could not but be such, as would open a door for that affection, confidence, duty, and trust, upon which the peace of the kingdom might be reasonably founded. And pro-

BOOK V. 1642.

positions they did send to the king, in the beginning of June; which were presented to his majesty, with great solemnity, by their committee resident there; which, in this place, are very necessary to be inserted in the very terms in which they were presented, as followeth:

The nineteen propositions sent to the king by both houses, June 2, 1642.

The humble petition[q] *and advice of both houses of parliament, with nineteen propositions and the conclusion, sent unto his majesty the second of June*, 1642.

"Your majesty's most humble and faithful subjects, the lords and commons in parliament, having nothing in their thoughts and desires, more precious and of higher esteem, next to the honour and immediate service of God, than the just and faithful performance of their duty to your majesty and this kingdom: and being very sensible of the great distractions and distempers, and of the imminent dangers and calamities, which those distractions and distempers are like to bring upon your majesty, and your subjects; (all which have proceeded from the subtle informations, mischievous practices, and evil counsels of men disaffected to God's true religion; your majesty's honour and safety; and the public peace, and prosperity of your people;) after a serious observation of the causes of those mischiefs, do, in all humility and sincerity, present to your majesty their most dutiful petition and advice: that, out of your princely wisdom for the establishing your own honour and

[q] *The humble petition*] *This petition is in the handwriting of lord Clarendon's amanuensis.*

" safety, and gracious tenderness of the welfare and " security of your subjects and dominions, you will " be pleased to grant and accept these their humble " desires and propositions, as the most necessary and " effectual means, through God's blessing, of remov- " ing those jealousies and differences, which have un- " happily fallen out[r] betwixt you and your people, " and procuring both your majesty and them a con- " stant course of honour, peace, and happiness.

The propositions.

1. " That the lords and others of your majesty's " privy council, and such great officers and mi- " nisters of state, either at home or beyond the " seas, may be put from your privy-council, and " from those offices and employments, excepting " such as shall be approved by both houses of " parliament: and that the persons, put into the " places and employments of those that are re- " moved, may be approved of by both houses of " parliament: and that privy-counsellors shall " take an oath, for the due execution of their " places, in such form as shall be agreed upon by " both houses of parliament.

2. " That the great affairs of the kingdom may not " be concluded, or transacted, by the advice of " private men, or by any unknown, or unsworn " counsellors; but that such matters as concern " the public, and are proper for the high court of " parliament, which is your majesty's great and " supreme council, may be debated, resolved, and " transacted only in parliament, and not else-

[r] out] *This word, having been omitted by the amanuensis, is inserted by lord Clarendon; which shews, that although this petition was not copied by his lordship, yet the copy was revised by him.*

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"where: and such as shall presume to do any "thing to the contrary shall be reserved to the "censure and judgment of parliament: and such "other matters of state, as are proper for your "majesty's privy-council, shall be debated and "concluded by such of the nobility, and others, "as shall, from time to time, be chosen for that "place, by approbation of both houses of parlia- "ment: and that no public act concerning the "affairs of the kingdom, which are proper for "your privy-council, may be esteemed of any va- "lidity, as proceeding from the royal authority, "unless it be done by the advice and consent of "the major part of the council, attested under "their hands: and that your council may be limit- "ed to a certain number, not exceeding twenty- "five, nor under fifteen: and if any counsellor's "place happen to be void in the interval of par- "liament, it shall not be supplied without the "assent of the major part of the council; which "choice shall be confirmed at the next sitting of "parliament, or else to be void.

3. "That the lord high steward of England, lord "high constable, lord chancellor, or lord keeper "of the great seal, lord treasurer, lord privy seal, "earl marshal, lord admiral, warden of the cinque "ports, chief governor of Ireland, chancellor of "the exchequer, master of the wards, secretaries "of state, two chief justices and chief baron, may "always be chosen with the approbation of both "houses of parliament; and, in the intervals of "parliaments, by the[s] assent of the major part of

[s] the] *Not in MS.*

"the council, in such manner as is before ex-
"pressed in the choice of counsellors.

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4. "That he, or they, unto whom the government "and education of the king's children shall be "committed, shall be approved of by both houses "of parliament; and, in the intervals of parlia-"ment,[t] by the assent of the major part of the "council, in such manner as is before expressed "in the choice of counsellors; and that all such "servants as are now about them, against whom "both houses shall have any just exceptions, shall "be removed.

5. "That no marriage shall be concluded, or treated, "for any of the king's children, with any foreign "prince, or other person whatsoever, abroad or at "home, without the consent of parliament, under "the penalty of a præmunire, unto such as shall "conclude or treat of[u] any marriage as aforesaid: "and that the said penalty shall not be pardoned, "or dispensed with, but by the consent of both "houses of parliament.

6. "That the laws in force against Jesuits, priests, "and popish recusants, be strictly put in execu-"tion, without any toleration, or dispensation to "the contrary: and that some more effectual "course may be enacted, by authority of parlia-"ment, to disable them from making any dis-"turbance in the state; or eluding the laws by "trusts, or otherwise.

7. "That the votes of popish lords in the house of "peers may be taken away, so long as they con-"tinue papists: and that your majesty will con-

[t] parliament,] parliaments, [u] of] *Not in MS.*

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"sent to such a bill, as shall be drawn, for the "education of the children of papists, by pro- "testants, in the protestant religion.

8. "That your majesty will be pleased to consent, "that such a reformation be made of the church- "government and liturgy, as both houses of par- "liament shall advise; wherein they intend to "have consultations with divines, as is express- "ed in their declaration to that purpose: and "that your majesty will contribute your best as- "sistance to them, for the raising of a sufficient "maintenance for preaching ministers through "the kingdom: and that your majesty will be "pleased to give your consent to laws for the "taking away of innovations, and superstition, "and of pluralities, and against scandalous mi- "nisters.

9. "That your majesty will be pleased to rest satis- "fied with that course, that the lords and com- "mons have appointed, for ordering of the mi- "litia, until the same shall be further settled by "a bill: and that your majesty will recall your "declarations and proclamations against the or- "dinance made by the lords and commons con- "cerning it.

10. "That such members of either house of parlia- "ment, as have, during this present parliament, "been put out of any place and office, may ei- "ther be restored to that place and office, or "otherwise have satisfaction for the same, upon "the petition of that house, whereof he or they "are members.

11. "That all privy-counsellors and judges may take "an oath, the form whereof to be agreed on and

" settled by act of parliament, for the maintain- 1642.
" ing of the Petition of Right, and of certain
" statutes made by this parliament, which shall
" be mentioned by both houses of parliament;
" and that an inquiry of all breaches and viola-
" tions of those laws may be given in charge by
" the justices of the king's bench every term; and
" by the judges of assize in their circuits, and
" justices of the peace at the sessions, to be pre-
" sented and punished according to law.

12. " That all the judges, and all the officers, placed
" by approbation of both houses of parliament,
" may hold their places *quamdiu bene se gesse-*
" *rint.*

13. " That the justice of parliament may pass upon
" all delinquents, whether they be within the
" kingdom, or fled out of it: and that all per-
" sons cited by either house of parliament may
" appear, and abide the censure of parliament.

14. " That the general pardon, offered by your ma-
" jesty, may be granted with such exceptions, as
" shall be advised by both houses of parliament.

15. " That the forts and castles of this kingdom may
" be put under the command and custody of such
" persons, as your majesty shall appoint, with
" the approbation of your parliament; and, in
" the intervals of parliament, with approbation
" of the major part of the council, in such man-
" ner as is before expressed in the choice of
" counsellors.

16. " That the extraordinary guards, and military
" forces now attending your majesty, may be re-
" moved and discharged: and that, for the fu-
" ture, you will raise no such guards or extra-

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"ordinary forces, but, according to the law, in "case of actual rebellion, or invasion.

17. "That your majesty will be pleased to enter into "a more strict alliance with the states of the "United Provinces, and other neighbour princes "and states of the protestant religion, for the "defence and maintenance thereof, against all "designs and attempts of the pope, and his ad- "herents, to subvert and suppress it; whereby "your majesty will obtain great access of strength "and reputation, and your[x] subjects be much en- "couraged and enabled, in a parliamentary way, "for your aid, and assistance, in restoring your "royal sister, and her princely issue, to those "dignities and dominions, which belong unto "them; and relieving the other distressed pro- "testant princes, who have suffered in the same "cause.

18. "That your majesty will be pleased by act of "parliament to clear the lord Kimbolton, and "the five members of the house of commons, "in such manner that future parliaments may "be secured from the consequence of that evil "precedent.

19. "That your majesty will be graciously pleased "to pass a bill for restraining peers made here- "after, from sitting or voting in parliament, un- "less they be admitted thereunto with the con- "sent of both houses of parliament.

"And these our humble desires being granted by "your majesty, we shall forthwith apply ourselves

[x] your] *Not in MS.*

" to regulate your present revenue, in such sort as
" may be for your best advantage; and likewise to
" settle such an ordinary and constant increase of 1642.
" it, as shall be sufficient to support your royal dig-
" nity in honour, and plenty, beyond the proportion
" of any former grants of the subjects of this king-
" dom to your majesty's royal predecessors: we shall
" likewise put the town of Hull into such hands, as
" your majesty shall appoint with the consent and
" approbation of parliament; and deliver up a just
" account of all the magazine; and cheerfully em-
" ploy the uttermost of our power and endeavours,
" in the real expression, and performance of our
" most dutiful and loyal affections, to the preserving
" and maintaining the royal honour, greatness, and
" safety of your majesty, and your posterity."

The same day that these articles of deposition were passed the houses, that his majesty might see how unable he was like to be to contend with them, they declared by an order the same day, printed, and carefully dispersed, " that they had received infor-
" mation," (and indeed their informations were wonderful particular, from all parts beyond sea, of whatsoever was agitated on the king's behalf; as well as from his court, of whatsoever was designed, or almost but thought of to himself: besides they could pretend to receive information of whatsoever would any way conduce to their purpose, true or false,) " that the jewels of the crown (which, they said,
" by the law of the land ought not to be aliened)
" were either pawned or sold in Amsterdam, or some
" other parts beyond the seas; and thereby great
" sums of money provided to be returned to York,

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"or to some of his majesty's servants or agents, for "his majesty's use: and because, they said, it was "more than probable, that great provision of monies, "in such an extraordinary way, was to maintain the "intended war against the parliament, and thereby "to bring the whole kingdom into utter ruin, and "combustion; it was therefore declared, by the lords "and commons in parliament, that whosoever had "been, or should be, an actor in the selling or pawning "of any jewels of the crown; or had, or should "pay, lend, send, or bring any money in specie into "this kingdom, for or upon any of those jewels; or "whosoever had, or should accept of any bill from "beyond the seas for the payment of any sum of "money, for or upon any of those jewels, and should "pay any sum according to such bill, after notice of "that order, without acquainting that house with "the receipt of that bill, before he accept the same; "or if he had already accepted any such bill, then "with the acceptance thereof, before the payment "of the money, every such person should be held "and accounted a promoter of that intended war, "an enemy to the state, and ought to give satisfaction for the public damage out of his own estate."

Order of the two houses against pawning the jewels of the crown.

Upon this confident assumption, "that it was not "in the king's power to dispose the jewels of the "crown; that whatsoever jewels were offered to be "pawned or sold, by any of the king's ministers beyond the seas, were the jewels of the crown, and "no other; and that all money, returned from thence "for his majesty's service, was money so raised and "procured;" they so much terrified men of all conditions, that the queen, having, by the sale of some of her own jewels, and by her other dexterity, pro-

cured some money for the king's supply, could not,[y] in a long time, find any means to transmit it. However, this made no impression upon the king's resolution;[z] and, though it might have some influence upon merchantly men, yet it stirred up most generous minds to an indignation on the king's behalf; and was new evidence, if there had wanted any, what kind of greatness he was to expect from complying with such immodest and extravagant proposers. BOOK V. 1642.

The king was once resolved to have returned no answer to them upon those propositions; but to let the people alone to judge of the unreasonableness of them, and of the indignity offered to him in the delivery of them; and that was the reason of the short mention he made of them, in the close of his declaration to theirs of the twenty-sixth of May: but he was afterwards persuaded to vouchsafe a further notice of them, there being some particulars popular enough, and others, that, at the first view, seemed not altogether so derogatory to him, and so inconvenient to the people, as in truth they were; and that therefore it was necessary to let all the people know, that whatsoever was reasonable, and might be beneficial to the kingdom, had been for the most part before offered by his majesty; and should all be readily granted by him; and so to unfold the rest to them, that they might discern their own welfare, and security, to be as much endangered by those demands, as the king's rights, honour, and dignity: so that, in a short time after he received them, he sent to the two houses, and published to the

[y] could not,] she could not,

[z] resolution;] resolutions;

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kingdom, his answer to those nineteen propositions, whereof it will be sufficient to repeat some few particulars:[z]

The substance of his majesty's answer to the nineteen propositions.

"In which he first remembered them of their "method, they had observed in their proceedings "towards him: that they had first totally suppressed "the known law of the land, and denied his power "to be necessary to the making new, reducing the "whole to their own declarations, and single votes: "that they had possessed themselves of his ma- "gazines, forts, and militia: that they had so awed "his subjects with pursuivants, long chargeable at- "tendance; heavy censures; illegal[a] imprisonments; "that few of them durst offer to present their ten- "derness of his majesty's sufferings, their own just "grievances, and their sense of those violations of "the law, (the birthright of every subject of the "kingdom,) though in an humble petition to both "houses: and if any did, it was stifled in the birth; "called sedition; and burned by the common hang- "man: that they had restrained the attendance of "his ordinary and necessary houschold servants; "and seized upon those small sums of money, which "his credit had provided to buy him bread; with "injunctions, that no money[b] should be suffered to "be conveyed, or returned to his majesty to York, "or to any of his peers, or servants with him; so "that, in effect, they had blocked him up in that "county: that they had filled the ears of his people "with fears and jealousies, (though taken up upon "trust,) tales of skippers, salt fleets, and such like;

[z] whereof it will be sufficient to repeat some few particulars:] *Not in MS.*

[a] illegal] and illegal

[b] no money] none

" by which alarms they might prepare them to re-
" ceive such impressions, as might best advance
" their design, when it should be ripe. And now, it
" seemed, they thought his majesty sufficiently pre-
" pared for those bitter pills; that he was in a
" handsome posture to receive those humble de-
" sires; which, probably, were intended to make
" way for a superfœtation of a yet higher nature;
" for they did not tell him, this was all. He said,
" he must observe, that those contrivers, (the better
" to advance their true ends,) in those propositions,
" disguised, as much as they could, their intents with
" a mixture of some things really to be approved by
" every honest man; others, specious and popular;
" and some which were already granted by his ma-
" jesty: all which were cunningly twisted and mixed
" with those other things of their main design, of
" ambition and private interest, in hope that, at the
" first view, every eye might not so clearly discern
" them in their proper colours.

" His majesty said, if the 1, 2, 3, 4, 5, 9, 10, 15,
" 16, 19, demands had been writ, and printed, in a
" tongue unknown to his majesty and his people, it
" might have been possible, that he and they might
" have charitably believed the propositions to be
" such, as might have been in order to the ends
" pretended in the petition; to wit, the establish-
" ment of his honour and safety; the welfare and
" security of his subjects and dominions; and the
" removing those jealousies and differences, which
" were said to have unhappily fallen betwixt his ma-
" jesty and his people; and procuring both his ma-
" jesty and them a constant course of honour, peace,
" and happiness: but being read and understood by

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" all, he could not but assure himself, that that pro-
" fession, joined to those propositions, would rather
" appear a mockery, and a scorn; the demands
" being such, that he were unworthy of the trust re-
" posed in him by the law, and of his descent from
" so many great and famous ancestors, if he could
" be brought to abandon that power, which alone
" could[c] enable him to perform what he was sworn
" to, in protecting his people, and the laws; and so
" assume others into it, as to divest himself of it,
" although not only his present condition were more
" necessitous than it was, (which it could hardly be,)
" and he were both vanquished, and a prisoner, and
" in a worse condition than ever the most unfortu-
" nate of his predecessors had been reduced to, by
" the most criminal of their subjects; and though
" the bait laid to draw him to it, and to keep his
" subjects from indignation at the mention of it, the
" promises of a plentiful and unparalleled revenue,
" were reduced from generals (which signify nothing)
" to clear and certain particulars; since such a bar-
" gain would have but too great a resemblance of
" that of Esau's, if he would part with such flowers
" of his crown, as were worth all the rest of the
" garland, and had been transmitted to him from so
" many ancestors, and had been found so useful and
" necessary for the welfare and security of his sub-
" jects, for[d] any present necessity, or for any low and
" sordid considerations of wealth and gain. And
" therefore, all men knowing that those accommo-
" dations are most easily made, and most exactly ob-
" served, that are grounded upon reasonable and

[c] alone could] could only [d] for] or for

"equal conditions, his majesty had great cause to be-
"lieve, that the contrivers of those propositions had
"no intention of settling any firm accommodation;
"but to increase those jealousies, and widen that di-
"vision, which, not by his majesty's fault, was now
"unhappily[e] fallen between him and both houses.

"It was asked, that all lords and others of his
"privy-council, and such great officers and minis-
"ters of state, either at home or beyond the seas,
"(for, he said, care was taken to leave out no per-
"son or place, that his dishonour might be sure not
"to be bounded within this kingdom,) should be
"put from his privy-council, and from those offices
"and employments, unless they should be approved
"by both houses of parliament, how faithful soever
"his majesty had found them to him, and[f] to the
"public; and how far soever they had been from
"offending against any law, the only rule they had,
"or any others ought to have, to walk by. His
"majesty therefore to that part of that demand
"returned this answer; That he was willing to
"grant, that they should take a larger oath, than
"they themselves desired in their eleventh demand,
"for maintaining not of any part, but the whole[g]
"law. And, he said, he had, and did assure them,
"that he would be careful to make election of such
"persons in those places of trust, as had given good
"testimonies of their abilities and integrities, and
"against whom there could be no just cause of ex-
"ception, whereon reasonably to ground a diffi-
"dence: that if he had, or should be mistaken in
"his election, he had, and did assure them, that

[e] unhappily] happily [f] and] or [g] the whole] of the whole

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there was no man so near to him, in place or "affection, whom he would not leave to the justice "of the law, if they should bring a particular charge "and sufficient proof against him: that he had "given them a triennial parliament, (the best pledge "of the effects of such a promise on his part, and "the best security for the performance of their duty "on theirs,) the apprehension of whose justice "would, in all probability, make them wary how "they provoked it, and his majesty wary, how he "chose such as, by the discovery of their faults, "might in any degree seem to discredit his election; "but that[h] without any shadow of a fault objected, "only perhaps because they follow their consciences, "and preserve the established laws, and agree not "in such votes, or assent not to such bills, as some "persons, who had then too great an influence even "upon both houses, judged, or seemed to judge, to "be for the public good, and as were agreeable to "that new Utopia of religion and government, into "which they endeavoured to transform this king-"dom, (for, he said, he remembered what names, "and for what reasons, they left out in the bill "offered him concerning the militia, which they had "themselves recommended in the ordinance,) he "would never consent to the displacing of any, "whom for their former merits from, and affection "to his majesty and the public, he had intrusted; "since, he conceived, that to do so would take "away both from the affection of his servants, the "care of his service, and the honour of his justice: "and, he said, he the more wondered that it should

[h] that] that that

" be asked by them, since it appears by the twelfth " demand, that themselves counted it reasonable, " after the present turn was served, that the judges " and officers, who were then placed, might hold " their places, *quamdiu se bene gesserint:* and he " was resolved to be as careful of those whom he " had chosen, as they were of those they would " choose; and to remove none, till they appeared to " him to have otherwise behaved themselves, or " should be evicted, by legal proceedings, to have " done so.

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" But, his majesty said, that demand, as unrea- " sonable as it was, was but one link of a great " chain, and but the first round of that ladder, by " which his majesty's just, ancient, regal power was " endeavoured to be fetched down to the ground; " for it appeared plainly that it was not with the " persons now chosen, but with his majesty's choos- " ing, that they were displeased: for they demanded, " that the persons put into the places and employ- " ments of those, who should be removed, might be " approved by both houses; which was so far from " being less than the power of nomination, that of " two things, of which he would never grant either, " he would sooner be content, that they should no- " minate, and he approve, than they approve, and " his majesty nominate; the mere nomination being " so far from being any thing, that if he could do no " more, he would never take the pains to do that; " when he should only hazard whom[1] he esteemed to " the scorn of a refusal, if they happened not to be " agreeable not only to the judgment, but to the pas-

[1] whom] those whom

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"sion, interest, or humour of the present major part "of either house: not to speak of the great factions, "animosities, and divisions, which that power would "introduce in both houses, between both houses, and "in the several counties for the choice of persons to "be sent to that place, where that power was; and "between the persons that were so chosen. Neither "was that strange potion prescribed to him only for "once, for the cure of a present, pressing, desperate "disease; but for a diet to him, and his posterity. "It was demanded, that his counsellors, all chief "officers both of law and state, commanders of forts "and castles, and all peers hereafter made, be ap- "proved of, that is chosen, by them from time to "time: and rather than it should ever be left to "the crown, (to whom it only did and should be- "long,) if any place fall void in the intermission of "parliament, the major part of the approved coun- "cil was to approve them. Neither was it only de- "manded that his majesty should quit the power "and right his predecessors had had of appointing "persons in those places; but for counsellors, he "was to be restrained, as well in the number as in "the persons; and a power must be annexed to "those places, which their predecessors had not. "And, indeed, if that power were passed to them, "he said, it would not be fit he should be trusted to "choose those, who were to be trusted as much as "himself.

"He told them, to grant their demands in the "manner they proposed them, that all matters that "concerned the public, &c. should be resolved, and "transacted only in parliament, and such other mat- "ters of state, &c. by the privy-council so chosen,

" was in effect at once to depose himself, and his
" posterity. He said, many expressions in their de-
" mands had a greater latitude of signification, than
" they seemed to have; and that it concerned his ma-
" jesty therefore the more, that they should speak
" out; that both he and his people might either
" know the bottom of their demands, or know them
" to be bottomless. Nothing more concerned the
" public, and was indeed more proper for the high
" court of parliament, than the making of laws;
" which not only ought there to be transacted, but
" could be transacted no where else. But then they
" must admit his majesty to be a part of the par-
" liament; they must not (as the sense was of that
" part of that demand, if it had any) deny the freedom
" of his answer, when he had as much right to reject
" what he thought unreasonable, as they had to pro-
" pose what they thought convenient, or necessary.
" Nor was it possible his answers, either to bills, or
" any other propositions, should be wholly free, if he
" might not use the liberty, that every one of them,
" and every subject took, to receive advice (without
" their danger who should give it) from any person
" known or unknown, sworn or unsworn, in those
" matters in which the manage of his vote is[k]
" trusted, by the law, to his own judgment and con-
" science; which how best to inform was, and ever
" should be, left likewise to him. He said, he would
" always, with due consideration, weigh the advices
" both of his great, and privy-council: yet he should
" likewise look on their advices, as advices, not as
" commands, or impositions; upon them, as his coun-

[k] is] was

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" sellors, not as his tutors, or guardians; and upon " himself, as their king, not as their pupil, or ward: " for, he said, whatsoever of regality was, by the " modesty of interpretation, left in his majesty, in " the first part of the second demand, as to the par- " liament, was taken from him in the second part of " the same, and placed in that newfangled kind of " counsellors, whose power was such, and so express- " ed by it, that in all public acts concerning the " affairs of the kingdom, which are proper for the " privy-council, (for whose advice all public acts are " sometimes proper, though never necessary,) they " were desired to be admitted joint patentees with " his majesty in the regality. And it was not plain- " ly expressed, whether they meant his majesty so " much as a single vote in those affairs; but it was " plain they meant him no more, at most, than a " single vote in them; and no more power, than " every one of the rest of his fellow-counsellors."

And so after a sharp discourse, and explanation of the unreasonableness of the several demands, or the greatest part of them, and the confusion that, by consenting thereunto, would redound to the subject in general, as well as the dishonour to his majesty, (which may be read at large by itself,) he told them, " to all those unreasonable demands, his an- " swer was, *Nolumus leges Angliæ mutari:* but re- " newed his promise to them, for a very punctual " and strict observation of the known laws esta- " blished; to which purpose he was willing an oath " should be framed by them, and taken by all his " privy-counsellors. And for any alteration in the " government of the church, that a national synod " should be called, to propose what should be found

"necessary or convenient: and that, for the advance-
"ment of the protestant religion against the pa-
"pists, they had not proposed so much to his ma-
"jesty, as he was willing to grant, or as he had
"himself offered before. He concluded with con-
"juring them, and all men, to rest satisfied with the
"truth of his majesty's professions, and the reality
"of his intentions; and not to ask such things as
"denied themselves: that they would declare against
"tumults, and punish the authors: that they would
"allow his majesty his property in his towns, arms,
"and goods; and his share in the legislative power;
"which would be counted in him not only breach of
"privilege, but tyranny, and subversion of parlia-
"ments, to deny to them: and, when they should
"have given him satisfaction upon those persons,
"who had taken away the one, and recalled those
"declarations, (particularly that of the twenty-sixth
"of May; and those in the point of the militia, his
"just rights wherein he would no more part with,
"than with his crown, lest he enabled others by
"them to take that from him,) which would take
"away the other; and declined the beginnings of a
"war against his majesty, under pretence of his in-
"tention of making one against them; as he had
"never opposed the first part of the thirteenth de-
"mand, so he would be ready to concur with them
"in the latter; and being then confident that the
"credit of those men, who desire a general combus-
"tion, would be so weakened with them, that they
"would not be able to do this kingdom any more
"hurt, he would be willing to grant his general par-
"don, with such exceptions as should be thought
"fit; and should receive much more joy in the hope

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" of a full and constant happiness of his people in " the true religion, and under the protection of the " law, by a blessed union between his majesty and " his parliament, than in any such increase of his own " revenue, how much soever beyond former grants, " as (when his subjects were wealthiest) his parlia- " ment could[l] have settled upon his majesty."

Though the king now lived at York in a much more princely condition, than he could have hoped to have done near London; and had so great a train and resort of the nobility and gentry, that there was not left a fifth part of the house of peers at Westminster; and truly I do not believe, that there was near a moiety of the house of commons who continued there; yet his majesty[m] made no other use, for the present, of their presence with him, and of their absence from the two houses, than to have so many the more, and the more credible witnesses of his[n] counsels and carriage; and to undeceive the people by his clear answers to all the scandals and reproaches which were laid on him, and by his ample professions and protestations of his sincere zeal to religion and justice; and to make it appear to them, how far the quality and the number of those who thought, or seemed to think, otherwise, was, from what they might imagine it to be. And it cannot be denied, but the people were every day visibly reformed in their understandings, from the superstitious reverence they had paid the two houses; and grew sensible of their duty to the king, and of those invasions which were offered to his regal dignity.

On the other side, the two houses slackened not

[l] could] should. [m] his majesty] he [n] his] his majesty's

their pace a jot, proceeded with great and unusual sharpness against those members who were gone to the king; proclaiming some of them by name "to "be enemies to the kingdom," and, by a formal judgment, sentencing nine peers together, "to be "incapable of sitting again in parliament, whilst "this should continue:" the house of commons having carried up an impeachment of misdemeanours against them, (which was as illegal in point of justice, and as extravagant in point of privilege, as any thing they could do,) "for being absent, and re- "fusing to attend, upon a summons from the house "of peers:" and upon their own members they imposed a fine of 100*l.* apiece, on every one who was gone to the king, and upon those, who being in other places, they thought were well affected to his service: yet, lest they should upon this proceeding return again, to disturb and cross their counsels, they provided, "that no man, upon whom that sentence "fell, should sit again in the house (though he paid "his fine) till he had been examined by a committee, "and so given the house satisfaction in the cause of "his absence." And, by those means, they thought both to remove the scandal, that so many members were absent, and to prevent any inconvenience too, that might befall them by their return. For they well knew, if the members of both houses were obliged to a constant and strict attendance, it would not be possible that they could compass their mischievous designs.

Propositions and orders of both houses for bringing in money and

Then they prosecuted their great business of the militia, not only near London, where they were in no danger of opposition, but in those northern counties near his majesty, as Leicestershire, Cheshire,

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1642. Lincolnshire, where whosoever refused to give obedience to them, or published the king's proclamation against their proceedings, (for the king had yet practised no expedient to prevent the growth of that mischief, but the publishing his proclamation against it,) were sent for as delinquents; and not satisfied herewith, that they might be as well able to pay an army, as they found they should be to raise one, on the tenth of June (for the time will be very necessary to be remembered, that it may be the better stated, who took up the defensive arms) they published propositions, "for the bringing in of money "or plate to maintain horse, horsemen, and arms, "for the preservation of the public peace, and for "the defence of the king and both houses of parliament; the reasons and grounds whereof they declared to be the king's intention to make war "against his parliament; that, under pretence of a "guard for his person, he had actually begun to levy "forces, both of horse and foot; and sent out summons throughout the county of York, for the calling together of greater numbers; and some ill affected persons, in other parts, had been employed to raise troops, under the colour of his majesty's service; making large offers of reward and preferment to such as would come in: that his majesty did, with a high and forcible hand, protect and keep away delinquents, not permitting them to make their appearance to answer such affronts and injuries, as had been by them offered to the parliament; and those messengers, which had been sent from the houses for them, had been abused, beaten, and imprisoned, so as the orders of parliament, the highest court of justice in the realm,

Plate for maintaining horse, &c. June 10, 1642.

" were not obeyed; and the authority of it was al-
" together scorned and vilified; and such persons as
" stood well affected to it, and declared themselves 1642.
" sensible of those public calamities, and of the vio-
" lations of the privileges of parliament, and com-
" mon liberty of the subject, were baffled, and in-
" jured by several sorts of malignant men, who were
" about the king; some whereof, under the name of
" cavaliers, without having respect to the laws of
" the land, or any fear either of God or man, were
" ready to commit all manner of outrage and vio-
" lence; which must needs tend to the dissolution of
" the government; the destruction of their religion,
" laws, liberties,[o] properties;[p] all which would be
" exposed to the malice and violence of such despe-
" rate persons, as must be employed in so horrid and
" unnatural an act, as the overthrowing a parliament
" by force; which was the support and preservation
" of them. Those particulars, they said, being duly
" considered by the lords and commons, and how
" great an obligation lay upon them, in honour, con-
" science, and duty, according to the high trust re-
" posed in them to use all possible means, in such
" cases, to prevent so great and irrecoverable evils,
" they had thought fit to publish their sense and ap-
" prehension of that imminent danger; thereby to
" excite all well affected persons to contribute their
" best assistance, according to their solemn vow and
" protestation, to the preparations necessary for the
" opposing and suppressing of the traitorous at-
" tempts of those wicked and malignant counsellors,
" who sought to engage the king in so dangerous

[o] liberties,] liberty,

[p] properties;] property;

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" and destructive an enterprise, and the whole king-
" dom in a civil war; and destroy the privileges and
" being of parliaments.

" This recourse to the good affections of those,
" that tender their religion and just liberties, and
" the enjoyment of the blessed fruits of this present
" parliament, which were almost ready to be reap-
" ed, and were now as ready to be ruined by those
" wicked hands, being, they said, the only remedy
" left them under God; and without which they
" were no longer able to preserve themselves, or
" those by whom they were intrusted: therefore
" they declared, that whosoever would bring in any
" proportion of ready money or plate, or would un-
" derwrite to furnish and maintain any number of
" horse, horsemen, and arms, for the preservation of
" the public peace, and for the defence of the king,
" and both houses of parliament, from force and vio-
" lence, and to uphold the power and privileges of
" parliament, according to his protestation; it should
" be held a good and acceptable service to the com-
" monwealth, and a testimony of his good affection
" to the protestant religion, the laws, liberties, and
" peace of the kingdom; and to the parliament, and
" privileges thereof. And they further declared,
" that whosoever brought in money or plate, or fur-
" nished and maintained horse, horsemen, and arms,
" upon these propositions, and to those purposes,
" should be repaid their money with interest of eight
" *per cent*; for which they did engage the public
" faith, and they appointed the guildhall in London
" for the place whither this money or plate should
" be brought; and four aldermen of London to be
" their treasurers for the receiving the same; and

"likewise other confiding men to receive and prize "such horses and arms, as should be brought in "for their service. And, lastly, for their better en- "couragement, the members of both houses appoint- "ed a solemn day to set down their own subscrip- "tions;" which they performed liberally.

Most of those who abhorred their impious designs, not thinking it lawful for them to be present at such consultations, withdrew before the day came, or absented themselves then. But many had the courage to be present, and stoutly to refuse what they thought they could not honestly consent to. Sir Henry Killigrew, who was a remarkable enemy[q] to all their devices, being called upon, told them, "if there were "occasion, he would provide a good horse, and a "good sword; and made no question but he should "find a good cause." But, within very few days, both he, and all those who were taken notice of for refusing, found it safest for them to leave the town; there being very visibly great animosity against them both within and without the walls. And a gentleman of good quality assured me afterwards, that, within few days after he had refused to subscribe, he was privately advised by one of the other faction, who yet retained some kindness to him, "to "leave the town, lest his brains were beaten out by "the boys in the streets." And many of those who too impotently desired not to be looked upon as refractory persons, and had pleased themselves with subscribing more articulately for the defence of the king's person, found it afterwards necessary to supply whatsoever they had subscribed, to be employed

[q] a remarkable enemy] notoriously an enemy

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that way as was declared to be for the defence of the king's person, whatsoever their intention was at first, or their opinion after. And it is hardly credible, what a vast proportion of plate was brought in to their treasurers within ten days; there being hardly men enough to receive it, or room to lay it in; and the throng being so great of the bringers, that, in two days' attendance, many could not be discharged of their seditious offerings. And, the very next day after these propositions, they further ordered, "that there should be a strict search and examination made by the justices of peace, mayors, bailiffs, and constables, near all the northern roads, for the seizing all horses for service in the wars, or great saddles, that should be carried towards the north parts of England, without the privity or direction of one or both houses of parliament;" which was a great improvement of their former order, which extended only to arms and ammunition; though, the truth is, the dexterity and spirit of their ministers, who knew their meaning, made the former almost as inconvenient and dangerous to passengers, as the latter.

It was by many impatiently wondered at then, and, no doubt, will be more censured hereafter, that, notwithstanding all these invasions, and breaches upon the regal power, and all these vast preparations to destroy him, the king, hitherto, put not himself into a posture of safety; or provided for the resistance of that power which threatened him; and which, he could not but know, intended whatsoever it hath since done: and though they had not yet formed an army, and chosen a general, yet, he well knew, they had materials abundantly ready for

the first, and particular, digested resolutions in the second; which they could reduce to public acts, whensoever they pleased. It is very true, he did know all this, and the unspeakable hazards he run, in not preparing against it. But the hazards, which presented themselves unto him on the other side, were not less prodigious: he had a very great appearance of the nobility; and not only of those, who had from the beginning walked and governed themselves by the rules the law prescribed, and, in that respect, were unblameable to king and people; but of others, who had passionately and peevishly (to say no worse) concurred in all the most violent votes and actions, which had been done from the beginning: for, besides the lord Spencer, (who had been chosen their lieutenant of Northamptonshire, but was recovered to a right understanding, of which he was very capable, by his uncle the earl of Southampton,) the lord Paget likewise, who had contributed all his faculties to their service, and to the prejudice of the king's, from before the beginning of the parliament; had[r] been one of their teasers to broach those bold high overtures soberer men were not, at first, willing[s] to be seen in; and had been, as a man most worthy to be confided in, chosen lord lieutenant of one of the most confiding counties, the county of Buckingham, (where he had, with great solemnity and pomp, executed their ordinance, in defiance of the king's proclamation,) and had subscribed a greater number of horses for their service, upon their propositions, than any other of the same quality; convinced in his conscience, fled from them, and be-

[r] had] *Omitted in MS.*

[s] at first, willing] willing at first

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sought the king's pardon: and, for the better manifesting the[t] tenderness of his compunction, and the horror he had of his former guilt, he frankly[u] discovered whatsoever he had known of their counsels; and aggravated all the ill they had done, with declaring it to be done to worse and more horrid ends, than many good men believed to be possible for them to propose to themselves.[x]

Notwithstanding, this glorious convention was rather an ornament to his court, than any great advantage to his counsels; and the use of them more to discredit the small remainder at Westminster, and that the people might see the number and quality of the dissenters, than that they contrived[y] any thing to the active improvement of his affairs; every man thinking it high merit in him, that he absented himself from the company and place, where all the mischief was done; and that the keeping himself negatively innocent, was as much as he owed his king and country. I am willing[z] to impute it to the drowsy and unactive genius of the kingdom, (contracted by long ease and quiet,) which so much abhorred the thoughts of a civil war, that it thought a lively and vigorous preparation against it, was to invite it: and there were[a] very few of all the great lords, who did attend upon the king, who did not

[t] the] of the

[u] frankly] lustily

[x] to propose to themselves.] to entertain.

[y] contrived] contributed

[z] I am willing] *Thus originally in MS.:* I am tender of laying any imputation of want of providence or courage upon that time, and upon so great a body of the nobility, which doubtless was the rise of much reputation and advantage to the king; and am willing, &c.

[a] and there were] *Thus originally in MS.:* And they all (truly there did not appear four counsellors of another opinion) declared to the king, that the parliament, &c.

declare, "that the parliament durst not in truth "(whatever shows they made in hope to shake his "majesty's constancy) make a war; and if they "should attempt it, the people would unanimously "rise for the king, who would be most safe by not "intending his own safety. Whereas, if he raised "forces, the parliament would procure themselves to "be believed, that it was to overthrow religion, and "suppress the laws and liberties of the people." They who were of another opinion, and could have spoken more reason, held it not safe to express themselves but in the king's own ear; there being in the great council of the peers, who, for state, were frequently assembled, and by whom in truth the king then desired to have transacted all things of moment, some who were not good counsel-keepers, and others who were looked upon, and believed to be spies upon the rest. But that which made the thought of raising forces (whatever arguments there were for it) absolutely unreasonable, was, that the king had no possibility to procure either arms, or munition, but from Holland; from whence he daily expected supply: and till that arrived, let his provocations and sufferings be what they could be, he was to submit, and bear it patiently.

In the mean time, for a ground of further proceeding upon occasion, the king desired the peers in council to set down in writing the affronts and violence, which had been offered to them at London, by which their presence in the great council of the kingdom was rendered both unsafe and dishonourable; the which they the more willingly condescended to, for that the London pamphlets already aspersed them, as deserters of the parliament, and

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betrayers of the liberty of their country: an instrument being drawn up, and agreed upon between them, in which they set down "the tumults, and "the violence offered to particular persons in those "tumults; the threats and menaces of the rabble at "the doors of the house, when they had a mind any "exorbitant thing should pass; the breach and vio-"lation of the old orders and rules of parliament, "whilst matters were in debate, and the resuming "matters again in a thin house; and reversing, "waving, or contradicting resolutions made in a "full house: and, lastly, Mr. Hollis's coming to the "bar, and demanding the names of those lords who "refused to consent to the militia, when the multi-"tude without menaced and threatened all those "dissenters:" after which, they said, "they con-"ceived they could not be present there with ho-"nour, freedom, or safety; and therefore forbore to "be any more present; and so all those votes, con-"clusions, and declarations had passed, which had "begot those distractions throughout the kingdom." And this they delivered to the king, signed under their hands. And yet, (which is a sufficient instance how unendued men were with that spirit and courage which was requisite,) the next day after the delivery, many lords came to his majesty, and besought him, "that he would by no means publish "that paper, but keep it in his own hands;" some of them saying, "that, if it were published, they "would disavow it:" so that material and weighty evidence, which then might have been of sovereign use to the king, was rendered utterly ineffectual to his service; his majesty finding it necessary to engage his princely word to them, "never to make it

"public without their consent;" which he performed most punctually; and so, to this day, it was never divulged.

To make some little amends for this want of mettle, (for it proceeded from nothing else, they being most shy in subscribing, and most passionate against publishing, who were of unquestionable affection to his majesty, and integrity to his cause,) and that the world might see there was a combination among good men, to assist his majesty in the defence of the law, as well as there was against both by others; upon the king's declaring himself fully in council, where all the peers were present, "that, as [b] he would not require or exact any obedience from them, but what should be warranted "by the known law of the land; so he did expect "that they would not yield to any commands not "legally grounded, or imposed by any other: that "he would defend every one of them, and all such "as should refuse any such commands, whether "they proceeded from votes and orders of both "houses, or any other way, from all dangers and "hazards whatsoever. That his majesty would defend the true protestant religion, established by "the law of the land; the lawful liberties of the "subjects of England; and just privileges of all the "three estates of parliament; and would require no "further obedience from them, than as accordingly "he should perform the same: and his majesty did "further declare, that he would not, as was falsely "pretended, engage them, or any of them, in any "war against the parliament; except it were for

His majesty's declaration to the lords attending him at York, June 18, 1642.

[b] as] *Not in MS.*

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"his necessary defence and safety, against such as "did insolently invade or attempt against his ma- "jesty, or such as should adhere to his majesty:"

The promise of the lords and others thereupon.

all the peers engaged themselves, "not to obey any "orders or commands whatsoever, not warranted "by the known laws of the land; and to defend "his majesty's person, crown, and dignity, together "with his just and legal prerogative, against all "persons and power whatsoever: that they would "defend the true protestant religion, established by "the law of the land; the lawful liberties of the "subject of England; and just privileges of his ma- "jesty, and both his houses of parliament: and, "lastly, they engaged themselves not to obey any "rule, order, or ordinance whatsoever, concerning "any militia, that had not the royal assent."

This being subscribed by their lordships was, with their consent, immediately printed, and carefully divulged over the kingdom, bearing date at York the thirteenth of June, 1642, with the names of the subscribers. Two days after, his majesty in council taking notice of the rumours spread, and informations given, which might induce many to believe, that his majesty intended to make war against his parliament, "professed before God, and said, he "declared to all the world, that he always had, and "did abhor all such designs, and desired all his no- "bility and council, who were there upon the place, "to declare, whether they had not been witnesses "of his frequent and earnest declarations and pro- "fessions to that purpose: whether they saw any "colour of preparation [c] or counsels, that might rea-

His majesty's declaration and profession of June 15, 1642, disavowing any intentions of raising war.

[c] preparation] preparations

" sonably beget a belief of any such design; and " whether they were not fully persuaded, that his " majesty had no such intention: but that all his " endeavours, according to his many professions, " tended to the firm and constant settlement of the " true protestant religion; the just privileges of " parliament; the liberty of the subject; the law, " peace, and prosperity of this kingdom."

Whereupon all the lords and counsellors present unanimously agreed, and did sign a paper in these words:

The declaration and profession of the lords and counsellors to the same effect.

" We, whose names are under written, in obedi- " ence to his majesty's desire, and out of the duty " which we owe to[d] his majesty's honour, and to " truth, being here upon the place, and witnesses of " his majesty's frequent and earnest declarations " and professions of his abhorring all designs of " making war upon his parliament; and not seeing " any colour of preparations or counsels, that might " reasonably beget the belief of any such designs, " do profess before God, and testify to all the world, " that we are fully persuaded that his majesty hath " no such intention: but that all his endeavours " tend to the firm and constant settlement of the " true protestant religion; the just privileges of " parliament; the liberty of the subject; the law, " peace, and prosperity of this kingdom." Which testimony and declaration was subscribed by

Ld. Littleton,[e] ld. keeper.	Duke of Richmond.	Earl of Lindsey.
Marquis of Hertford.	Earl of Cumberland.	Earl of Bath.
Earl of Southampton.	Earl of Salisbury.	Earl of Dorset.
Earl of Devonshire.	Earl of Cambridge.	Earl of Northampton.

[d] to] unto

[e] *The order in which these names are subscribed, is somewhat different in the MS. as may be seen in the Appendix, A.*

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Earl of Clare.	El. of Westmoreland.	Earl of Bristol.
Earl of Monmouth.	Earl Rivers.	Earl of Berkshire.
Earl of Carnarvon.	Earl of Newport.	Earl of Dover.
Ld. Willoughby of Eresby.	Ld. Grey of Ruthin.	L[d] Mowbray and Martravers.
Lord Newark.	Lord Pawlett.	Lord Howard of Charleton.
Lord Rich.	Lord Savile.	Lord Lovelace.
Lord Coventry.	Lord Dunsmore.	Lord Mohun.
Lord Capel.		Lord Seymour.
Lord Falkland.	Sir P. Wich, controller.	Secretary Nicholas.
	Sir J. Colepepper, chan. exch.	Ld. Ch. Justice Banks.

This testimony of the lords and counsellors was immediately printed, and published, together with a declaration of his majesty's; in which he said,

His majesty's declaration thereupon.

"That though he had, in the last seven months, "met with so many several encounters of strange "and unusual declarations, under the name of both "his houses of parliament, that he should not be "amazed at any new prodigy of that kind; and "though their last of the twenty-sixth of May gave "him a fair warning that, the contrivers of it hav- "ing spent all their stock of bitter and reproachful "language upon him, he was now to expect they "should break out into some bold and disloyal ac- "tions against him: and, having by that declara- "tion, as far as in them lay, divested his majesty of "that preeminence and authority, which God, the "law, the custom and consent of this nation[f] had "placed in him, and assumed it to themselves, that "they should likewise, with expedition, put forth "the fruits of that supreme power, for the violating "and suppressing the other which they despised; "(an effect of which resolution, he said, their de- "claration[g] against his proclamation concerning the "pretended ordinance for the militia, and their[h]

[f] this nation] that nation
[g] their declaration] their wild declaration
[h] their] the

" punishing of the proclaimers appeared to be,) yet,
" he must confess, in their last attempt (he said, he
" spoke[i] of the last he knew; they might probably
" since, or at that present, have outdone that too)
" they had outdone what his majesty had conceived
" was their present intention. And whosoever
" heard of propositions, and orders, for bringing in
" of money or plate to maintain horse, and[k] horse-
" men, and arms, for the preservation of the public
" peace, or for the defence of the king and both
" houses of parliament, (such was their declaration,
" or what they please to call it, of the tenth of
" June,) would surely believe the peace of the king-
" dom to be extremely shaken; and, at least, the
" king himself to be consulted with, and privy to
" those propositions. But, he said, he hoped, that
" when his good subjects should find, that that
" goodly pretence of defending the king, was but a
" specious bait to seduce weak and inconsiderate
" men into the highest acts of disobedience and dis-
" loyalty against his majesty, and of violence and
" destruction upon the laws and constitutions of the
" kingdom, they would no longer be captivated by
" an implicit reverence to the name of both houses
" of parliament; but would carefully examine and
" consider what number of persons were present;
" and what persons were prevalent in those consult-
" ations; and how the debates were probably ma-
" naged, from whence such horrid and monstrous
" conclusions did result; and would at least weigh
" the reputation, wisdom, and affection of those,
" who were notoriously known, out of the very hor-

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"ror of their proceedings, to have withdrawn themselves; or, by their skill and violence to be driven from them, and their councils.

"His majesty said,[l] whilst their fears and jealousies did arise, or were infused into the people, from discourses of the rebels in Ireland, of skippers at Rotterdam, of forces from Denmark, France, or Spain, (how improbable and ridiculous soever that bundle of information appeared to all wise and knowing men,) it was no wonder if the easiness to deceive, and the willingness to be deceived, did prevail over many of his weak subjects to believe, that the dangers, which they did not see, might proceed from causes which they did not understand: but for them to declare to all the world, that his majesty intended to make war against his parliament, (whilst he sat still complaining to God Almighty of the injury offered to him, and to the very being of parliaments,) and that he had already begun [m] actually to levy forces both of horse and foot, (whilst he had only, in a legal way, provided a smaller guard for the security of his own person so near a rebellion at Hull, than they had, without lawful authority, above these eight months, upon imaginary and impossible dangers,) to impose upon his people's sense, as well as their understanding, by telling them his majesty was doing that which they saw he was not doing, and intending that, they all knew, as much as intentions could be known, he was not intending, was a boldness agreeable to no power but the omnipotency of those votes, whose

[l] said] *Omitted in MS.* [m] begun] began [n] these] *Not in MS.*

" absolute supremacy had almost brought confusion
" upon the[o] king and people; and against which
" no knowledge in matter of fact, or consent and
" authority in matter of law, they would endure
" should be opposed.

" His majesty said, he had, upon all occasions,
" with all possible expressions, professed his first[p]
" and unshaken resolutions for peace. And, he
" said, he did again, in the presence of Almighty
" God, his maker and redeemer, assure the world,
" that he had no more thought of making war[q]
" against his parliament, than against his own chil-
" dren: that he would observe and maintain the
" acts assented to by him this parliament without
" violation; of which, that for the frequent assem-
" bling of parliaments was one: and that he had
" not, nor would have, any thought of using any
" force; unless he should be driven to it, for the se-
" curity of his person, and for the defence of the re-
" ligion, laws, and liberty of the kingdom, and the
" just rights and privileges of parliament: and there-
" fore he hoped the malignant party, who had so
" much despised his person, and usurped his office,
" should not, by their specious fraudulent insinua-
" tions, prevail with his good subjects to give credit
" to their wicked assertions; and so to contribute
" their power and assistance for the ruin and de-
" struction of themselves, and his majesty.

" For the guard about his person, (which, he said,
" not so much their example, as their provocation,
" had enforced him to take,) it was known it con-
" sisted of the prime gentry, in fortune and reputa-

[o] the] *Not in MS.* [p] first] fast [q] war] a war

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"tion, of that country; and of one regiment of "trained bands; who had been so far from offering "any affronts, injuries, or disturbance to any of his "good subjects, that their principal end was to pre-"vent such; and so, might be security, could be no "grievance to his people. That some ill affected "persons, or any persons, had been employed in "other parts to raise troops, under colour of his "majesty's service; or that such had made large, or "any, offers of reward and preferment to such as "would come in, which had been alleged by them; "was, he said, for aught he knew, or believed, an "untruth, devised by the contrivers of that false "rumour. His majesty disavowed it, and said, he "was confident there would be no need of any[r] "such art, or industry, to induce his loving sub-"jects, when they should see his majesty oppressed, "and their liberties and laws confounded, (and till "then he would not call on them,) to come in to "him, and to assist him.

"For the delinquents, whom his majesty was "said with a high and forcible hand to protect, he "wished they might be named, and their delin-"quency: and if his majesty gave not satisfaction "to justice, when he should have received satisfac-"tion concerning sir John Hotham by his legal "trial, then let him be blamed. But if the design "were, as it was well known to be, after his ma-"jesty had been driven by force from his city of "London, and kept by force from his town of Hull, "to protect all those who were delinquents against "him, and to make all those delinquents who at-

[r] any] *Not in MS.*

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" tended on him, or executed his lawful commands;
" he said, he had great reason to be satisfied in the
" truth and justice of such accusation, lest to be
" his majesty's servant, and to be a delinquent, grew
" to be terms so convertible, that, in a short time,
" he were left as naked in attendance, as they would
" have him in power; and so compel him to be
" waited upon only by such whom they should ap-
" point and allow; and in whose presence he should
" be more miserably alone, than in desolation itself.
" And if the seditious contrivers and fomenters of
" that scandal upon his majesty should have, as
" they had had, the power to mislead the major
" part present of either or both houses, to make
" such orders, and send such messages and messen-
" gers, as they had lately done, for the apprehen-
" sion of the great earls and barons of England, as
" if they were rogues or felons; and whereby per-
" sons of honour and quality were made delin-
" quents, merely for attending upon his majesty,
" and upon his summons; whilst other men were
" forbid to come near him, though obliged by the
" duty of their place and oaths, upon his lawful
" commands: it was no wonder if such messengers
" were not very well intreated; and such orders not
" well obeyed; neither could there be a surer or a
" cunninger way found out to render the authority
" of both houses scorned and vilified, than to as-
" sume to themselves (merely upon the authority of
" the name of parliament) a power monstrous to all
" understandings; and to do actions, and to make
" orders, evidently and demonstrably contrary to all
" known law and reason, (as to take up arms against
" his majesty, under colour of defending him; to

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" cause money to be brought in to them, and to for-
" bid his own money to be paid to his majesty, or
" to his use, under colour that he would employ it
" ill; to beat him, and starve him for his own good,
" and by his power and authority,) which would in
" short time make the greatest court, and greatest
" person, cheap and of no estimation.

" Who those sensible men were of the public ca-
" lamities, of the violations of the privileges of par-
" liament, and the common liberty of the subject,
" who had been baffled, and injured by malignant
" men, and cavaliers about his majesty, his majesty
" said, he could not imagine. And if those cavaliers
" were so much without the fear of God and man,
" and so ready to commit all manner of outrage and
" violence, as was pretended, his majesty's govern-
" ment ought to be the more esteemed, which had
" kept them from doing so; insomuch as he be-
" lieved, no person had cause to complain of any in-
" jury, or of any damage, in the least degree, by
" any man about his majesty, or who had offered
" his service to him. All which being, he said, duly
" considered, if the contrivers of those propositions
" and orders had been truly sensible of the obliga-
" tions, which lay upon them in honour, conscience,
" and duty, according to the high trust reposed in
" them by his majesty, and his people, they would
" not have published such a sense and apprehension
" of imminent danger, when themselves, in their
" consciences, knew that the greatest, and indeed
" only danger, which threatened the church and
" state, the blessed religion and liberty of his peo-
" ple, was in their own desperate and seditious de-
" signs; and would not have endeavoured, upon

" such weak and groundless reasons, to seduce his " good subjects from their affection and loyalty to " him, to run themselves into actions unwarrantable, " and destructive to the peace and foundation of the " commonwealth.

" And that all his loving subjects might see, how " causeless and groundless that scandalous rumour, " and imputation of his majesty's raising war upon " his parliament, was, he had, with that his declara- " tion, caused to be printed the testimony of those " lords, and other persons of his council, who were " there with him; who, being upon the place, could " not but discover such his intentions and prepara- " tions; and could not be suspected for their ho- " nours and interests to combine in such mischiev- " ous and horrid resolutions.

" And therefore, his majesty said, he straitly " charged and commanded all his loving subjects, " upon their allegiance, and as they would answer " the contrary at their perils, that they should yield " no obedience or consent to the said propositions " and orders; and that they presume not under any " such pretences, or by colour of any such orders, " to raise or levy any horse or men, or to bring in " any money, or plate, to such purpose. But, he " said, if, notwithstanding that clear declaration, " and evidence of his intentions, those men (whose " design it was to compel his majesty to raise war " upon his parliament; which all their skill and " malice should never be able to effect) should think " fit, by those alarms, to awaken him to a more ne- " cessary care of the defence of himself, and his " people; and should themselves, under colour of " defence, in so unheard of a manner provide (and

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" seduce others to do so too) to offend his majesty,
" having given him so lively a testimony of their af-
" fections, what they were willing to do, when they
" should once have made themselves able; all his
" good subjects would think it necessary for his ma-
" jesty to look to himself. And he did therefore ex-
" cite all his well affected people, according to their
" oaths of allegiance and supremacy, and according
" to their solemn vow and protestation, (whereby
" they were obliged to defend his person, honour,
" and estate,) to contribute their best assistance to
" the preparations necessary for the opposing and
" suppressing of the traitorous attempts of such
" wicked and malignant persons; who would de-
" stroy his person, honour, and estate, and engage
" the whole kingdom in a civil war, to satisfy their
" own lawless fury and ambition; and so rob his
" good subjects of the blessed fruit of this present
" parliament; which they already in some degree
" had, and might still reap, to the abundant satis-
" faction and joy of the whole kingdom, if such
" wicked hands were not ready to ruin all their pos-
" sessions, and frustrate all their hopes. And, in
" that case, his majesty declared, that whosoever, of
" what degree or quality soever, should then, upon
" so urgent and visible necessity of his, and such ap-
" parent distraction of the kingdom, caused and be-
" gotten by the malice and contrivance of that ma-
" lignant party, bring in to his majesty, and to his
" use, ready money, or plate; or should underwrite
" to furnish any number of horse, horsemen, and
" arms, for the preservation of the public peace, and
" defence of his person, and the vindication of the
" privilege and freedom of parliament, he would re-

" ceive it as a most acceptable service, and as a tes- 1642.
" timony of his singular affection to the protestant
" religion, the laws, liberties, and peace of the king-
" dom; and would no longer desire the continuance
" of that affection, than he would be ready to justify
" and maintain the other with the hazard of his
" life."

And so concluded with the same overtures they had done, in their propositions for the loan of money at interest; "offering, for the[s] security thereof, an " assurance of such his lands, forests, parks, and " houses, as should be sufficient for the same; a " more real security, he said, than the name of pub- " lic faith, given without him, and against him; as " if his majesty were not part[t] of the public: and " besides, he would always look upon it as a service " most affectionately and seasonably performed for " the preservation of his majesty, and the kingdom. " But, he said, he should be much gladder that their " submission to those his commands, and their de- " sisting from any such attempt of raising horse or " men, might ease all his good subjects of that charge, " trouble, and vexation."

It will be wondered at hereafter, when, by what hath been said, the number and quality of the peers is considered, who, by absenting themselves from the house, and their resort to his majesty, sufficiently declared, that they liked not those conclusions which begot[u] those distractions; why both those peers, and likewise such members of the commons, who then, and afterwards, appeared in the king's service, and

[s] the] *Not in MS.*
[t] were not part] were no part
[u] begot] begat

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were indeed full, or very near one moiety of that house, did not rather, by their diligent and faithful attendance in the houses, according to their several trusts reposed in them, discountenance and resist those pernicious and fatal transactions, than, by withdrawing themselves from their proper stations, leave the other (whose ruinous intentions were sufficiently discovered) possessed of the reputation, authority, and power of a parliament; by which, it was evident, the people would be easily, to a great degree, seduced. And though the observing reader may, upon the collection of the several passages here set down, be able to answer those objections to himself; I am the rather induced, in this place, to apply myself to the clearing that point, because not only many honest men, who, at a distance, have considered it, without being privy to the passages within the walls, and those breaches which totally destroyed and took away the liberty and freedom of those councils, have been really troubled or unsatisfied with that desertion, as they call it, of the service to which they were incumbent, and chosen; but that I have heard some, who were the chief, if not the sole promoters of those violations, and the most violent pursuers of the most violent designs, and have since (out of the ruptures which have proceeded from their own animosities) either been, or been thought to be, more moderately inclined, complain, "that "the withdrawing of so many members from the "two houses was the principal cause of all our cala-"mities." And they who have been the true authors of them, and still continue the same men[x],

[x] men] *Not in MS.*

have taken pains to make and declare the others, "deserters of their country, and betrayers of their "trusts, by their voluntary withdrawing themselves "from that council."

In the doing whereof, I shall not, I cannot, make any excuse for those, (of whom somewhat is before spoken,) who, from the beginning of this parliament, and in the whole progress of it, either out of laziness, or negligence, or incogitancy, or weariness, forbore to give their attendance there, when the number of those who really intended these prodigious alterations was very inconsiderable; and daily drew many to their opinions, upon no other ground than that the number of the dissenters appeared not equally diligent, and intent upon their assertions: neither can I excuse the peers, the moderate part whereof being four for one, suffered themselves to be cozened, and persuaded, and threatened out of their rights by a handful of men, whom they might, in the beginning, easily have crushed; whereas in the house of commons the great managers were men of notable parts, much reputation, admirable dexterity; pretenders to severe justice and regularity; and then the number of the weak, and the wilful, who naturally were to be guided by them, always made up a major part; so that, from the beginning, they were always able to carry whatsoever they set their hearts visibly upon; at least, to discredit or disgrace any particular man, against whom they thought necessary to proceed, albeit of the most unblemished reputation, and upon the most frivolous suggestions; so that they could not but[y] be very formidable, in

[y] but] *Omitted in MS.*

BOOK V. 1642.

that house, to all but the most abstracted men from all vulgar considerations.

But, I am confident, whosoever diligently revolves the several passages in both houses, from the time of the publishing the first remonstrance, upon his majesty's return from Scotland, to the time of which we last speak,[z] must be of opinion, that the resorting of so many members then to his majesty, (from whom all the lords, and some of the commons, received commands to that purpose,) or to such places, where they thought they might be of greatest use to his majesty, in preservation of the peace of the kingdom, was not only an act of duty, but of such prudence and discretion, as sober and honest men were to be guided by. In the house of peers, the bishops,[a] who had as much right to sit there, and were as much members of parliament as any lord there, were first, by direct violence and force, a great part of them,[b] driven and kept from thence, till the bill, for the total expulsion of the whole order[c] from those seats, was passed; such of the peers, who were most remarkable[d] for adhering to the government of the church, being, in the mean time, threatened publicly by the rabble; and some of their persons assaulted. The business of the militia had been twice, upon solemn debate in a full house, rejected there; till such force and violence was brought to the very doors, such expostulations and threats delivered within the doors against those who refused to concur with them in that business, that no man

[z] speak,] spake,

[a] the bishops,] the bishops twenty-four in number,

[b] a great part of them,] *Not in MS.*

[c] the whole order] them and their function

[d] remarkable] notorious

had reason to believe his life out of danger from those rude hands, who was taken notice of for an opposer of their unreasonable desires; some of them having been declared enemies to their country, for having refused what was in their power lawfully to refuse; and others having been criminally accused by the commons, for words spoken by them in debates of the house[e] of peers; after which many of them were sent for, by special letters, to attend his majesty, (which letters were always thought to be a good, and warrantable, and sufficient ground to be absent from the house;[f] nor had such summons, from the beginning of parliaments to this present, ever been neglected,) with whom they had not been many weeks, but two of them, as hath been mentioned before, upon an untrue and extravagant information, without further examination, were declared enemies to the kingdom; and nine others by solemn judgment, upon an impeachment brought up by the commons against them, only for being absent, and for what only concerned the privilege and jurisdiction of the peers, were disabled to sit in the house again during this session; so that, if they would have returned, they were actually excluded that council.

In the house of commons, the case was worse: first, they who had, with that liberty which is essential to parliaments, and according to their understandings, dissented, or declared a dislike of what the violent party so vehemently pursued, were, as

[e] debates of the house] debate in the house

[f] a good, and warrantable, and sufficient ground to be absent from the house;] so good and warrantable a ground to be absent, that no other was sufficient;

BOOK V. 1642.

hath been said before, declared enemies to their country; and their names posted up in paper, or parchment, at most eminent places, under some opprobrious character; which, though it was not avowed, and had no authority from the house by any public act, yet, being complained of, was neither redressed, nor was the complaint so countenanced,[g] that it could be concluded the violation was unacceptable: so, though the tumults were not directly summoned or assembled, it is evident, by what hath been before set forth truly and at large, that they found there visible countenance and encouragement.

Then, what had been, upon full and solemn debates in a full house, rejected, was many times, in a thin house, and at unusual and unparliamentary hours, resumed, and determined contrary to the former conclusions: yet men satisfied themselves with doing what they thought their duty, and reasonably opposing what the major part ordered to be done; hoping that men's understandings would be shortly better informed; and that, though high and irreverent expressions and words were sometimes used against the king, there would be abstaining from unlawful and dangerous actions; and that the house of peers, at least, would never be brought to join or concur in any act prejudicial to the sovereign power. But when they saw a new way found out by the dexterity of the major part in the house of commons, to make the minor part of the lords too hard for the major; and so, whilst all men were transported with jealousy of the breach of privilege

[g] was neither redressed, nor was the complaint so countenanced,] found neither redress, or such countenance,

of parliament by the king, that there was, by the houses themselves, an absolute rooting up of all privileges: that from metaphysical considerations, what *might* be done in case of necessity, the militia of the kingdom was actually seized on; and put under a command contrary to, and against, the king's command: that there was then a resolution taken, by those who could act their resolutions when they pleased, to make a general, and to oblige all the members to live and die with that general; which will be anon more particularly mentioned; (for that resolution was well known before the time, that those many members removed to York, and withdrew to other places; and was executed within three or four days after;) men thought it high time to look to their innocence, and (since, by the course and orders[h] of that house, they could leave no monument or evidence of their dissenting, as the lords might,[i] by their protestations upon any unlawful act, or resolution) to declare their dislike of what was done, by not being present at the doing: and it was reasonably thought, there being no other way peaceably and securely to do it, that the kingdom, understanding the number of those that were present at such new transactions, and weighing the quality, number, and reputation of those who were absent, would be best induced to prefer the old laws of the kingdom, before the new votes (destructive to those laws) of those few men, who called themselves the two houses of parliament; and that it would prove a good expedient to work upon the consciences and modesty of those who staid behind, to conclude it

[h] orders] order

[i] might,] might have,

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necessary, by some fair addresses[k] to his majesty, to endeavour such a general good understanding, that a perfect union might be made; and the privilege, dignity, and security of parliament be established according to the true and just constitution of it.

It is true, how reasonably soever it might be expected, it produced not that ingenuity: but they who had been troubled with the company of them that afterwards withdrew,[l] and, by the opposition they made, could not make that expedition in the mischief they intended, were glad they were rid of them; yet, shortly, considering[m] what influence indeed it might have upon understanding men, they found a way to cast a reproach upon those who were absent, and yet to prevent any inconvenience to themselves by their return; publishing an order, "that all the members absent should appear at such "a day, under the penalty of paying each[n] 100*l.* fine "for his absence; and whosoever did not appear at "that day" (which gave not time enough to any who were at a distance) "should not presume to sit "in the house, before he had paid his fine, and[o] sa-"tisfied the house with the cause of his absence;" so that all those who were with the king, and very many more, who had really withdrawn themselves to refresh their minds, or upon necessary affairs of their own, with a purpose to return, clearly discerned themselves excluded from sitting any more there; it being sufficiently manifest, that the cause of their

[k] addresses] address

[l] the company of them that afterwards withdrew,] their company,

[m] consideriñg] considered

[n] each] *Not in MS.*

[o] and] or.

absence would never be approved, if their persons were disliked, and their opinions disapproved: which appeared quickly; for the day was no sooner past, but they, without the least warrant of precedent, or colour of right, expelled very many, sometimes twenty a day,[p] not only of those who were with the king, but of others who had given them equal distaste; and ordered new writs to issue out to choose other members in their rooms. BOOK V. 1642.

It cannot be denied but some very honest and entire men staid still there, and opposed all their unjustifiable proceedings with great courage, and much liberty of speech; which was more frankly permitted to them than had been before, when the number of the dissenters was greater; and it may be there are still some who satisfy themselves that they have performed their duty, by always having denied to give their consent to whatsoever hath been seditiously or illegally concluded. But I must appeal to the consciences of those very men, whether they have not been many times, by staying there, compelled or terrified to do, and submit to, many acts contrary to their conscience, in cases of conscience; and contrary to their judgment and knowledge, in matters of law and right; and contrary to their oaths and duties, in matters of allegiance; and whether, if they had refused so to do, they should not have been plundered, expelled, and committed to prison? And then they cannot be thought to have proceeded unreasonably, who, to preserve their innocence, and their liberty, chose to undergo all the other censures and difficulties which could befall

[p] a day,] in a day,

BOOK V. them, and which have been since plentifully poured upon them. But to return.[q]

1642. The king had, at this time, called to him some judges, and lawyers of eminency; by whose advice he published a declaration concerning the militia, and asserted "the right of the crown in granting "commissions of array, for the better ordering and "governing thereof;" and, at the same time, issued out those commissions to all counties, "expressly for-"bidding any obedience to be given to the ordi-"nance for the militia by both houses, under the pe-"nalty of high treason." This only improved the paper-combat in declarations; either party insisting, "that the law was on their side;" and the people giving obedience to either, according to their conveniences: and many did believe, that if the king had resorted to the old known way of lord lieutenants, and deputy lieutenants, his service would have been better carried on; the commission of array being a thing they had not before heard of, though founded upon an ancient act of parliament in the reign of Hen. IV. and so was received with jealousy, and easily discredited by the glosses and suggestions of the houses.

Besides that some men of very good affections to the crown, and averse enough to the extravagant pretences and proceedings of the parliament, did not conceal their prejudice to the commission of array, as not warranted by law; which did very much work upon other men, and made the obedience less cheerful that was given to that service. Mr.

[q] *For a continuation of this part of the History, according to MS. C. (which is here omitted,) see Appendix, B.*

Selden had, in the debate upon that subject in the house of commons, declared himself very positively, and with much sharpness, against the commission of array, as a thing expressly without any authority of law; the statute upon which it was grounded being, as he said, repealed; and discoursed very much of the ill consequences which might result from submitting to it: he answered the arguments which had been used to support it; and easily prevailed with the house not to like a proceeding, which they knew was intended to do them hurt, and to lessen their authority. But his authority and reputation prevailed much further than the house, and begot a prejudice against it in many well affected men without doors[r]. When the king was informed of it, he was much troubled, having looked upon Mr. Selden as well disposed to his service. And the lord Falkland, with his majesty's leave, writ a friendly letter to Mr. Selden, "to know his reason, why, in such a "conjuncture, whatever his opinion were[s], he would "oppose the submission to the commission of array, "which nobody could deny to have had its original "from law, and which[t] many learned men still be-"lieved to be very legal, to make way for the esta-"blishment of an ordinance which had no manner "of pretence to right[u]." He answered this letter very frankly; as a man who believed himself in the right upon the commission of array, and that the arguments he had used against it could not be an-

[r] without doors] *Not in MS.*

[s] were] *Omitted in MS.*

[t] which] that

[u] to make way for the establishment of an ordinance which had no manner of pretence to right.] *Thus in MS.*: that the ordinance which had no manner of pretence to right might be the better established.

BOOK V. 1642.

swered; summing up some of those arguments in as few words as they could be comprehended in[x]: but then he did as frankly inveigh against the ordinance for the militia, "which, he said, was without "any shadow of law, or pretence of precedent, and "most destructive to the government of the king-"dom: and he did acknowledge, that he had been "the more inclined to make that discourse in the "house against the commission, that he might with "the more freedom argue against the ordinance; "which was to be considered upon a day then ap-"pointed: and he was most confident, that he should "likewise overthrow the ordinance: which, he con-"fessed, could be less supported; and he did be-"lieve, that it would be much better, if both were "rejected, than if either of them should stand, and "remain uncontrolled." But his confidence deceived him; and he quickly found, that they who suffered themselves to be entirely governed by his reason, when those conclusions resulted from it, which contributed to their own designs, would not be at all guided by it, or submit to it, when it persuaded that which contradicted and would disappoint those designs: and so, upon the day appointed for the debate of their ordinance, when he applied all his faculties to the convincing them of the illegality and monstrousness of it, by arguments at least as clear and demonstrable as his former had been, they made no impression upon them; but were easily answered by those who with most passion insisted upon their own sense. He had satisfied them very well, when he concurred with them in judgment; but his rea-

[x] in] *Not in MS.*

sons were weak, when they crossed their resolutions. So most men are deceived in being too reasonable; concluding that reason will prevail upon those men to submit[y] to what is right and just[z], who have no other consideration of right or justice, but as it advances their interest, or complies with their humour and passion. And so easy it hath always been to do harm, and to mislead men, and so hard to do good, and reduce them to reason.

These paper-skirmishes left neither side better inclined to the other; but, by sharpening each other, drew the matter nearer to an issue. The king had written a letter to the mayor and aldermen of London, and to the masters and wardens of each company;[a] by which, "he assured them of his desire of "the peace of the kingdom; and therefore required "them, as they tendered their charter of the city, "and their own particular welfares, not to bring in "horses, money, or plate, upon the propositions of "the houses; whereby, under pretence of raising a "guard for the parliament, forces would be levied, "and, in truth, employed against his majesty:" of which the houses taking notice, published a declaration to the city, "That they could not be secured "by his majesty's protestations, that his desires and "purposes were for the public peace; since it ap-"peared, by divers expressions and proceedings of "his majesty, that he intended to use force against "those who submitted to the ordinance of the mili-"tia; and that he had likewise some intention of

The parliament's declaration to the city upon a letter from the king to the lord mayor and aldermen.

[y] concluding that reason will prevail upon those men to submit] and when they conclude that men will submit

[z] and just] *Not in MS.*

[a] each company;] each several company;

BOOK VI 1642.

"making an attempt upon Hull. In both which "cases they did declare, that whatsoever violence "should be used, either against those who exercise "the militia, or against Hull, they could not but be- "lieve it as done against the parliament. They told "them, that the dangerous and mischievous inten- "tions of some about his majesty were such, that "whatsoever was most precious to men of con- "science and honour, as religion, liberty, and pub- "lic safety, were like to be overwhelmed and lost "in the general confusion and calamity of the king- "dom; which would not only question, but over- "throw the charter of the city of London; expose "the citizens, their wives and children, to violence "and villainy; and leave the wealth of that famous "city as a prey to those desperate and necessitous "persons: and therefore they forbid[b] all the officers "to publish that paper, as they would answer their "contempt to the parliament; by the power and au- "thority of which, they assured them, they should "be protected, and secured in their persons, liber- "ties, and estates, for whatsoever they should do by "their advice or persuasion."

The king's reply.

To this the king replied, "That he wondered, "since they had usurped the supreme power to "themselves, they[c] had not taken upon them the "supreme style too; and directed their very new "declaration to their trusty and well-beloved, their "subjects of the city of London: for it was too "great and palpable a scorn, to persuade them to "take up arms against his person, under colour of "being loving subjects to his office; and to destroy

[b] forbid] forbad

[c] they] that they

" his person, that they might preserve the king: " that he was beholding to them, that they had ex- " plained to all his good subjects the meaning of " their charge against his majesty, that by his inten- " tion of making war against his parliament, no more " was pretended to be meant, but his resolution not " to submit to the high injustice and indignity of the " ordinance for the militia, and the business of Hull. " He said, he had never concealed his intentions " in either of those particulars, (he wished they " would deal as clearly with him,) but had always, " and did now declare, that that pretended ordinance " was against the law of the land; against the li- " berty and property of the subject; destructive to " sovereignty; and therefore not consistent with the " very constitution and essence of the kingdom, and " the[d] right and privilege of parliament: that he " was bound by his oath (and all his subjects were " bound by theirs of allegiance and supremacy, and " their own protestation lately taken, to assist his " majesty) to oppose that ordinance, which was put " already in execution against him, not only by " training and arming his subjects, but by forcibly " removing the magazine, from the place[e] trusted " by the county,[f] to their own houses, and guarding " it there with armed men. Whither it would be " next removed, and how used by such persons, he " knew not.

" That the keeping his majesty out of Hull by " sir John Hotham, was an act of high treason " against his majesty; and the taking away his ma- " gazine and munition from him, was an act of vio-

[d] the] to the [e] place] places [f] county,] counties,

BOOK V. 1642.

" lence upon his majesty, by what hands or by whose " direction soever it was done: and, in both cases, " by the help of God, and the law, his majesty said, " he would have justice, or lose his life in the re- " quiring it; the which he did not value at that rate, " as to preserve it with the infamy of suffering him- " self to be robbed, and spoiled of that dignity he " was born to. And if it were possible for his good " subjects to believe, that such a defence of him- " self, with the utmost power and strength he could " raise, was making a war against his parliament, he " did not doubt, however it should please God to dis- " pose of him in that contention, but the justice of " his cause would, at the last, prevail against those " few malignant spirits, who, for their own ends, " and ambitious designs, had so misled and corrupt- " ed the understandings of his people. And since " neither his own declaration, nor the testimony of " so many of his lords, then with his majesty, could " procure credit with those men, but that they pro- " ceeded to levy horse, and to raise money and arms " against his majesty, he said, he was not to be " blamed, if after so many gracious expostulations " with them, upon undeniable principles of law and " reason, (which they answered only by voting that " which his majesty said, to be neither law, nor rea- " son; and so proceeded actually to levy war upon " his majesty, to justify that which could not be " otherwise defended,) at last he made such provi- " sion, that as he had been driven from London, and " kept from Hull, he might not be surprised at York; " but be[g] in a condition to resist, and bring to jus-

[g] be] *Not in MS.*

"tice those men, who would persuade his people "that their religion was in danger, because his ma- "jesty would not consent it should be in their power "to alter it by their votes; or their liberty in dan- "ger, because he would allow no judge of that li- "berty, but the known law of the land: yet, he "said, whatever provision he should be compelled to "make for his security, he would be ready to lay "down, as soon as they should revoke the orders "by which they had made levies, and submitted "those persons, who had detained his towns, carried "away his arms, and put the militia in execution, "contrary to his proclamation, to that trial of their "innocence, which the law had directed, and to "which they were born: if that were not submit- "ted to, he should, with a good conscience, proceed "against those who should presume to exercise that "pretended ordinance for the militia, and the other "who should keep his town of Hull from him, as he "would resist persons who came to take away his "life or his crown from him.

"And therefore his majesty again remembered, "and required his city of London to obey his for- "mer commands, and not to be misled by the ora- "tion[h] of those men, who were made desperate by "their fortunes, or their fortunes by them; who told "them their religion, liberty, and property, was to "be preserved no other way, but by their disloyalty "to his majesty: that they were now at the brink "of the river, and might draw their swords, (which "was an expression used at a great convention of "the city,) when nothing pursued them but their

[h] oration] orations

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"own evil consciences. He wished them to consider, whether their estates came to them, and "were settled upon them, by orders of both houses, "or by that law which his majesty defended: what "security they could have to enjoy their own, when "they had helped to rob his majesty; and what an "happy conclusion that war was like to have, which "was raised to oppress their sovereign: that the "wealth and glory of their city was not like to be "destroyed any other way, but by rebelling against "his majesty; and that way inevitably it must; nor "their wives and children to be exposed to violence "and villainy, but by those who make their appetite and will the measure and guide to all their "actions. He advised them not to fancy to themselves melancholy apprehensions, which were capable of no satisfaction; but seriously to consider "what security they could have, that they had not "under his majesty, or had[i] been offered by him: "and whether the doctrine those men taught, and "would have them defend, did not destroy the foundations upon which their security was built?"[k]

[i] had] *Not in MS.*

[k] was built?] *What follows in the text is taken from MS. B. The continuation of the History, according to MS. C. is as follows:* As this severe joining issue upon two points, in which both sides were so deeply engaged, made it now evident, that one must either retract and recant what they had said and done, or make it good by the sword; so at this time an accident happened, (about the end of June,) that hastened the crisis. When sir John Pennington had conveyed the queen's majesty over into Holland the February before, he had left the Providence (a ship of the fourth rank) under the command of captain Straughan, (an honest and a faithful Scotchman,) to attend her majesty's command from time to time in the ports there; and after the king's repair into the north, he had passed once or twice with letters and messages between their majesties, and at this time was to convoy a small catch, laden with powder and arms, (which the

queen by ready money, upon the pawn of her jewels, had provided there,) to the king. The parliament, (for by that name, how improperly soever, I must call the opposite party,) knowing from the beginning of that ship's lying at the Sluice, to execute the queen's commands, and being exactly advertised, from time to time, of the pawning and sale of the jewels, of the providing ammunition, and indeed of whatsoever was done by any of her majesty's ministers, or said by herself, (so good instruments they had abroad,) had appointed their admiral, the earl of Warwick, (who needed no animadversions to be vigilant to disserve the king,) that he should take care that that ship were diligently waited on, and the northern coast as carefully guarded, that no ammunition, or other things, should be sent to the king; so that the Providence was no sooner at sea with the other catch, than she was chased by the king's own ships as an enemy, and was forced, by their close pursuit, into the mouth of the river of Humber; so that the ships which followed being at her stern, and the town of Hull, and the ships and pinnaces which lay there, at her head, they looked upon ship and catch, and ammunition, as their own lawful prize, and with great triumph and clamour threatened execution to all the men that were aboard, of what condition soever. But the dexterous and trusty Straughan, well knowing where he was, derided their insolence; and finding that his own ship drew much less water than those bigger that pursued him, took advantage of a small creek of the river which inclined more to the land, and three or four miles before he came to Hull ran himself and the catch on ground, when the other thought him even in their possession, which could not now come near him. They who were aboard, with the same dexterity with which the captain had brought them thither, landed in the evening, and with marvellous expedition, with the help of the country people, who affectionately flocked to them, before the morning raised such a work for the security of themselves and their vessels, that the garrison of Hull, with all their horse and foot, and shallops, and seamen, durst not adventure to assault them; which, without doubt, had been most easy to have been done, and so to have crushed all probable hopes of his majesty's ever getting farther supplies of that kind. This being within twenty miles of York, and four of Hull, the king quickly received advertisements of this arrival, which he had long impatiently expected, and as soon sent such aid thither, that the ammunition and guns, and whatsoever was useful, was quickly and securely brought on shore, and by degrees to York; the ship being left to them who had the power of the seas, and had so fairly compounded in suffering the king to receive all he could then make use of, having no port so much at his devotion, that he could have wished the vessel in. The fame and reputation of this supply was much

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greater than the supply itself; for besides three hundred barrels of powder, and two demi-cannons, (which the prince of Orange sent to the king as a present,) and those brass pieces, which were taken out of the ship, the arms, and other provisions, were very small; but the opinion, that there was money and arms, and whatsoever was necessary for a war, put a marvellous alacrity into all men, who seemed not now to doubt, that the king would be quickly master of all he desired, since he had ammunition, the want whereof they only apprehended. And now his majesty thought it time to resent some ill usage, of which he had hitherto scarce taken any public notice, which was the disposal of his navy, so contrary to his royal and express pleasure, by him, whom he had only trusted, and who he thought might have prevented the violence which was offered to him. From the time that the earl of Warwick had been intrusted with the fleet, instead of guarding the coasts from foreign enemies, the king had found himself only besieged by his own navy; and to be so far from being lord of the seas, that he was the only person to whom the sea was not free, by the strength and power of his own royal fleet: all vessels searched as enemies, which were suspected to be employed in his service, and letters directed to himself from the queen, as others formerly from others to her majesty, had been, seized, opened, and read: yet he thought it not fit to impute the fault to him, who was mediately and originally guilty of the whole, in his judgment, the earl of Northumberland; who, notwithstanding his public compliance at Westminster, was industrious underhand, by his friends, to persuade his majesty, that he was not so faulty as he was supposed to be; at least, that he made no doubt of an opportunity, by some signal service, to redeem all his errors, and to repair the damage [he] had received by his confidence in him. And truly I have reason to believe, that at that time his lordship's heart went not with those violent proceedings, which were every day concluded; and that he discovered himself to be abused by those, of whose intentions he had had a better persuasion. But now the chasing that ship of his majesty's own, and known to be employed in his especial service, with those circumstances of insolence and hostility, put the court and country into a liberty of discourse, as if the king were too remiss in the care of himself: and his majesty understood that he suffered more in foreign parts; many saying, that the king could not reasonably expect any assistance from his allies, when the greatest acts of hostility were performed against him, by those who pretended not, or in truth had not, any power or authority for what they did, but such as was derived from his own commission; so that both for his honour and security, he concluded, that it was necessary to revoke and supersede the patent of admiral, granted to the earl of Northumberland. But the secret transaction

The great conflux that hath been mentioned,[1] of men of all conditions, and qualities, and humours, could not continue long together at York, without some impatience and commotion; and most men wondered, that there appeared no provisions to be made towards a war, which they saw would be inevitable: and when the levies of soldiers under the earl of Essex were hastened with so much vigour, that the king should have no other preparations[m] towards an army, than a single troop of guards made up of gentlemen volunteers; who, all men foresaw, would quit the troop when there should be an army: and many do yet believe, that the king too long deferred his recourse to arms; and that, if he had raised forces upon his first repulse at Hull, his service would have been very much advanced; and that the parliament would not have been able to have drawn an army together. And so men still reproach[n] the councils which were then about the king, as they were censured by many at that time: but neither they then, nor these now do understand the true reason thereof. The king had not, at that time, one barrel of powder, nor one musket, nor any other provision necessary for an army; and, which

of the same as much concerned him: for there was no doubt, if the parliament should have the least inkling of such his majesty's intentions, they would quickly, by an ordinance, attempt the possessing themselves of his navy, as they had of the militia by land; and therefore, though it were a matter of so great importance as was fit to be consulted in council, yet it was evident, that by such a communication the service would miscarry, the earl having many friends there, who, if they could not dissuade the resolution, would be sure to give speedy advertisement of it.

[1] The great conflux that hath been mentioned,] This great conflux,

[m] preparations] preparation

[n] men still reproach] they reproach

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was worse, was not sure of any port, to which they might be securely assigned; nor had he money for the support of his own table for the term of one month. He expected, with impatience, the arrival of all those necessaries[o], by the care and activity of the queen; who was then in Holland, and by the sale of her own, as well as of the crown jewels, and by the friendship of Henry prince of Orange, did all she could to provide all that was necessary; and the king had newly directed her to send all to Newcastle, which was but then secured to him by the diligence of the earl of that name.[p] In the mean time, both the king himself, and they who best knew the state of his affairs, seemed to be without any thoughts of making war; and to hope, that the parliament would at last incline to some accommodation; for which both his majesty and those persons were exposed to a thousand reproaches.

The queen had many difficulties to contend with; for though the prince of Orange had a very signal affection for the king's service, and did all he could to dispose the states to concern themselves in his majesty's quarrel; yet his authority and interest was much diminished with the vigour of his body and mind: and the states of Holland were so far from being inclined to the king, that they did him all the mischief they could. They had before assisted the rebellion in Scotland, with giving them credit for arms and ammunition, before they had money to buy any; and they did afterwards, several ways, discover their affections to the parliament; which had so many spies there, that the queen could do nothing they had not present notice of; so that it was no

[o] necessaries] *Not in MS.* [p] of the earl of that name.] of that earl.

easy matter for the queen to provide arms and ammunition, but the parliament had present notice of it, and of the ways which were thought upon to transport them to the king: and then their fleet, under the command of the earl of Warwick, lay ready to obstruct and intercept that communication; nor was any remedy in view to remove this mischief; insomuch as it was no easy thing for the king to send to, or to receive letters from, the queen.

There was a small ship of 28 or 30 guns, that was part of the fleet that wafted her majesty into Holland from Dover, which was called the Providence, under the command of captain Straughan, when the fleet was commanded by sir John Pennington, and before the earl of Warwick was superinduced into that charge against the king's will. That ship, the captain whereof was known to be faithful to his majesty, was by the queen detained, and kept in Holland from the time of her majesty's arrival, under several pretences, of which the captain made use, when he afterwards received orders from the earl of Warwick, "to repair to the fleet in the Downs;" until, after many promises and excuses, it was at last discerned that he had other business and commands; and so was watched by the other ships as an enemy. This vessel the queen resolved to send to the king, principally to inform his majesty of the straits she was in; of the provisions she had made; and to return with such particular advice and directions from his majesty, that she might take further resolutions. And because the vessel was light, and drew not much water, and so could run into any creek, or open road, or harbour, and from thence easily send an express to the king; there was put into it about

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two hundred barrels of powder, and two or three thousand arms, with seven or eight field-pieces; which, they knew, would be very welcome to the king, and serve for a beginning and countenance to draw forces together. The captain was no sooner put to sea, but notice was sent to the commander of the fleet in the Downs; who immediately sent three or four ships to the north, which easily got the Providence in view, before it could reach that coast; and chased it with all their sails, till they saw it enter into the river of Humber; when, looking upon it as their own, they made less haste to follow it, being content to drive it before them into their own port of Hull; there being, as they thought, no other way to escape them; until they plainly saw the ship entering into a narrow creek out of[q] Humber, which declined Hull, and led into the country some miles above it; which was a place well known to the captain, and designed by him to arrive at[r] from the beginning. It was in vain for them then to hasten their pursuit; for they quickly found that their great ships could not enter into that passage, and that the river was too shallow to follow him; and so, with shame and anger, they gave over the chase, whilst the captain continued his course; and having never thought of saving the ship, run it on shore on that side towards Burlington;[s] and, with all expedition, gave notice to the king of his arrival; who, immediately, caused the persons of quality in the parts adjacent to draw the trained bands of the country together, to secure the incursions from Hull; and, by

[q] of] of the

[r] to arrive at] *Not in MS.*

[s] on that side towards Burlington;] near Burlington;

this means, the arms, ammunition, and artillery were quickly brought to York.

The king was well content that it should be generally believed, that this small ship, the size whereof was known to few, had brought a greater quantity and proportion of provisions for the war, than in truth it had; and therefore, though it had brought no money, which he expected, he forthwith granted commissions, to raise regiments of horse and foot, to such persons of quality and interest, as were able to comply with their obligations. He declared the earl of Lindsey, lord high chamberlain of England, his general of the army; a person of great honour and courage, and generally beloved; who[t] many years before had good commands[u] in Holland and Germany, and had been admiral at sea in several expeditions. Sir Jacob Ashley was declared major general of the foot, a command he was very equal to, and had exercised before, and executed after, with great approbation. The generalship of the horse his majesty preserved for his nephew prince Rupert; who was daily expected, and arrived soon after: and all levies were hastened with as much expedition as was possible in so great a scarcity, and notorious want of money; of which no more need be said, after it is remembered that all the lords, and council about the king, with several other persons of quality, voluntarily made a subscription for the payment of so many horse for three months; in which time they would needs believe, that the war should be at an end; every one paying down what the three months' pay would amount to, into the hands

[t] who] who had

[u] commands] command

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of a treasurer, appointed to receive it; and this money was presently paid for the making those levies of horse which were designed; and which could not have been made but by those monies.

And now the king thought it time to execute a resolution he had long intended, and which many men wondered he neglected so long; which was, as much as in him lay, to take the admiralty into his own hands. He had long too much cause to be unsatisfied and displeased with the earl of Northumberland; whom he thought he had obliged above any man whatsoever. His delivering the fleet into the hands and command of the earl of Warwick, after his majesty had expressly refused it to the parliament, the king could not easily forgive;[x] however, he thought it not then seasonable to resent it, because he had nothing to object against him, but his compliance with the command of the parliament, who would have owned it[y] as their own quarrel; and must have obliged that earl[z] to put his whole interest into their hands, and to have run their fortune; to which he was naturally too much inclined: and then his majesty foresaw, that there would have been no fleet at all set out that year, by their having the command of all the money, which was to be applied to that service. Whereas, by his majesty's concealing his resentment, there was a good fleet made ready, and set out; and many gentlemen settled in the command of ships, of whose affection and fidelity his majesty was assured, that no superior

[x] the king could not easily forgive;] he resolved never to forgive;

[y] who would have owned it] which would have made and owned it

[z] that earl] him

officer could corrupt it; but that they would, at all times, repair to his service, whenever he required it. And, indeed, his majesty had an opinion of the devotion of the whole body of the common seamen to his service, because he had, bountifully, so much mended their condition, and increased their pay, that he thought they would have even[a] thrown the earl of Warwick overboard, when he should command them; and so the respiting the doing of it would be of little importance. But now, that a ship of his own, in the execution of his commands, should be chased by his own fleet as an enemy, made such a noise in all places, even to his reproach and dishonour, that he could no longer defer the doing what he had so long thought of. He resolved, therefore, to revoke the earl of Northumberland's commission of the office of high admiral of England, and to send the revocation to him under the great seal of England: then, to send sir John Pennington, who was then at York, on board the fleet, and to take the charge of it: and letters were prepared, and signed by the king, to every one of the captains; whereby they were required "to observe the orders "of sir John Pennington." And all this was carried with all possible secrecy, that none, but those few who were trusted, knew, or suspected any such alteration.[b]

But the king thought fit, first to advise[c] with sir

[a] even] *Not in MS.*

[b] any such alteration.] *The continuation of this account, from MS. B. of the king's attempt to secure the fleet, will be found in the Appendix, C.*

[c] But the king—to advise] *Thus originally in MS. C.* The king therefore, with two or three whom be trusted with the greatest secrets, debating the objections on both sides, resolved that the thing was to be done, and for the way of doing

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John Pennington; of whose integrity he was confident, and whose judgment he always principally relied on in all his maritime actions; and thought him the only person fit immediately to take the fleet out of the earl of Warwick's possession; who had dispossessed him of the command that year, which he had usually exercised. Sir John Pennington, finding the matter full of difficulty, and the execution like to meet with some interruptions, expressed no alacrity to undertake it in his own person; alleging, "that himself stood in the parliament's disfavour "and jealousy, (which was true,) and that there- "fore his motion, and journey towards the Downs, "where the fleet then lay, would be immediately "taken notice of; and his majesty's design be so "much guessed at, that there would need no other "discovery:" but he[d] propounded to his majesty, "that he would send a letter to sir Robert Mansel, "who lived at Greenwich, speedily to go to the "fleet, and to take charge of it; and that his au- "thority, being vice-admiral of England, and his "known and great reputation with the seamen, "would be like to meet with the least resistance." His majesty, imparting this counsel to those whom he had made privy to his purpose, entered upon new considerations; and concluded, "that sir Robert "Mansel's age, (though his courage and integrity "were unquestionable,) and the accidents that de- "pended upon that, would render that expedient "most hazardous; and that, in truth, there needed "no such absolute and supreme officer to be ap-

it, that is, for the getting the fleet into his own power at the time that he determined the power of the earl of Northumberland, he thought fit to advise

[d] he] *Not in MS.*

"pointed in the first article; but rather, that his "majesty should direct his special letter to the cap- "tain of every ship, requiring him immediately to "weigh anchor, and to bring away his ship to such "a place as his majesty might appoint, where he "should receive further orders: and to that place "he might send such an officer, as he thought fit to "trust with the command of the whole navy so as- "sembled." According to this resolution, the whole despatch was prepared. First, a revocation of the earl of Northumberland's commission of admiral, under the great seal of England; of which there was a duplicate; the one to be sent to his lordship; the other to the earl of Warwick; whose commission was founded upon, and so determined by, the other. Then a particular[c] letter to each of the captains of his ships, informing them "of his majesty's "revocation of the admiral's patent, and conse- "quently of the determination of the earl of War- "wick's commission," (to whom his majesty likewise writ, to "inhibit him from further meddling in that "charge,") and therefore commanding them to yield no further obedience to either of their orders; but that, immediately upon the receipt of those his royal letters, he should weigh anchor; and, with what speed he might, repair to Burlington-bay upon the coast of Yorkshire; where he should receive his majesty's further pleasure: and so each commander, without relation to any other commands, had no more to look after but his own ship, and his own duty, by which the king might expect, at least, so

[c] particular] several

BOOK V. many ships as were under the command[f] of those, who had any affection or fidelity to his service.

1642. Accordingly, all things being prepared, and signed by the king, and sealed, what immediately concerned the earl of Northumberland was delivered to one of his majesty's pages,[g] to be given to the earl of Northumberland at London; and the whole despatch to the fleet to Mr. Edward Villiers, whose diligence and dexterity his majesty found fit for any trust; the former being directed "not to make such haste, "but that the other might be at least as soon at the "Downs, as he at London;" and Mr. Villiers again being appointed what letters he should first deliver to the captains; "and that he should visit the earl "of Warwick in the last place;" that his activity might have no influence upon the seamen, to prevent their obedience to his majesty. And surely if this resolution had been pursued, it is very probable that the king had been master of very many of his ships again. But, when the messengers were despatched, and well instructed, and he that was for London gone on his journey, there was a sudden and unexpected change of the whole direction to the fleet, by sir John Pennington's repair to his majesty; and, upon second thoughts, offering "to go "himself to the Downs, and to take charge of the "fleet:" which changed the forms of the letters to the several captains; and, instead of leaving every one to use his best expedition to bring away his own ship to Burlington, "required them only to observe

[f] command] government

[g] one of his majesty's pages,] Mr. May, his majesty's page,

"such orders, as they should receive by sir John "Pennington;" who thought not fit (for the reasons formerly given of his being taken notice of) to go with Mr. Villiers; but, by him, writ to sir Henry Palmer, to whom likewise his majesty sent a letter to that purpose, being an officer of the navy, and who lived by the Downs, "immediately to go aboard "the admiral; and that he[h] himself would make all "possible haste to him, setting out at the same time "with Mr. Villiers; but journeying a further and "more private way." Mr. Villiers, lest, by his stay for the alteration of his despatches, the page's[i] coming to London sooner than was intended at his setting out[k] might produce some inconvenience to the service, slept not till he came to sir Henry Palmer; who, being infirm in his health, and surprised with the command, could not make that expedition aboard, as might have been requisite; though he was loyally and zealously affected to his majesty's service. However, Mr. Villiers hastened to the ships which lay then at anchor, and, according to his instructions, delivered his several letters to the captains; the greatest part whereof received them with great expressions of duty and submission, expecting only to receive sir John Pennington's orders, for which they staid; and, without doubt, if either the first letters had been sent, or sir John Pennington been present, when these others were delivered, his majesty had been possessed of the greatest part of the fleet;[l] the earl of Warwick being at that time, according to his usual licences, with some officers, whose company he

[h] that he] *Not in MS.*

[i] the page's] his companion's

[k] intended at his setting out] expected at their parting

[l] of the greatest part of the fleet;] of his whole fleet;

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liked, on shore making merry; so that there was only his vice-admiral, captain Batten, on board, who was of eminent disaffection to his majesty; the rear-admiral, sir John Mennes, being of unquestionable integrity.

But after five or six hours, (in which time nothing could be acted, for want of advice and direction; enough being ready to obey, but none having authority to command,) the earl of Warwick came aboard his ship, to whom Mr. Villiers likewise gave his majesty's letters of his[m] discharge; who, without any declaration of disobeying it, applied himself to the confirming those whom he thought true to his party, and diligently to watch the rest; presuming, that he should speedily hear from those by whom he had been originally trusted.

In the mean time, the captains expected orders from sir John Pennington; who likewise privately expected such an account from sir Henry Palmer, as might encourage him to come to the ships. But this unfortunate delay disappointed all;[n] for the other gentleman, according to his instructions, having reached London in the evening after the houses were risen, delivered the king's letter, and the discharge of his commission, to the earl of Northumberland; who, with all shows of duty and submission, expressed "his resolution to obey his majesty; "and a hearty sorrow, that he had, by any misfor-"tune, incurred his majesty's displeasure." How ingenuous soever this demeanour of his lordship's was, the business was quickly known to those who were more concerned in it; who were exceedingly per-

The king revokes the earl of Northumberland's commission of admiral.

[m] his] *Not in MS.* [n] disappointed all;] lost all;

plexed with the apprehension of being dispossessed of so great a part of their strength, as the royal fleet; and earnestly pressed the earl of Northumberland, 1642. "that, notwithstanding such his majesty's revoca- "tion, he would still continue the execution of his "office of lord high admiral; in which they would "assist him with their utmost and full power and "authority." But his lordship alleging, "that it "would ill become him, who had received that "charge from the king, with so notable circum- "stances of trust and favour, to continue the pos- "session thereof against his express pleasure, there "being a clause in his grant, that it should be only "during such time as his majesty thought fit to use "his service;" and so "utterly refusing to meddle "further in it;" as soon as they could get the houses together the next morning, they easily agreed to pass an ordinance, as they call it, "to appoint the earl "of Warwick to be admiral of that fleet, with as "full and ample authority, as he had before had "from the earl of Northumberland." Which ordinance, together with letters, and votes of encouragement to his lordship, and to the officers and seamen, they speedily sent, by a member of their own; who arrived therewith, the next morning, after Mr. Villiers had delivered the king's letters; sir John Pennington in the mean time neither coming, nor° sending any further advice.

The earl of Warwick, being thus armed, found himself master of his work; and immediately summoned all the captains, to attend him on board his ship in council; the which all but two did, (captain

° nor] or

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Slingsby and captain Wake,) who, being by his majesty's letters, as the rest were, expressly charged to yield no further obedience to the earl of Warwick, refused to repair to him; making themselves ready to resist any violence, and putting their ships in order to go out to sea, that they might be at liberty to attend his majesty's commands: but they were so encompassed by the whole fleet, and the dexterity of the earl's ministers was such, and the devotion, generally, of the seamen so tainted, and corrupted from [p] the king's service, that, instead of carrying away the ships, the captains themselves were seized, taken, and carried by their own men to the earl; who immediately committed them to custody, and sent them up prisoners to the parliament. Then the earl [q] communicated the ordinance, letters, and votes from the two houses to the rest of the officers; of whom only two more refused to continue their charge against the signification they had received from the king, (sir John Mennes and captain Burly,) who were quickly discharged, and set on shore; and the rest, without any scruple or hesitation, "obliged "themselves to obey the earl of Warwick, in the "service of the parliament;" so that the storm was now over, and the parliament fully and entirely possessed of the whole royal navy, and militia by sea; for they quickly disposed of two other honest captains, Kettleby and Stradlin, (whom they could not corrupt,) who guarded the Irish seas; and got those ships likewise into their service. And thus his majesty was without one ship of his own, in his three kingdoms, at his devotion.

[p] from] to [q] the earl] his lordship

As this loss of the whole navy was of unspeakable ill consequence to the king's affairs, and made his condition much the less considered by his allies, and neighbour princes; who saw the sovereignty of the sea now in other hands, that were like to be[r] more imperious upon the apprehension of any discourtesies, than regular and lawful monarchs used to be; I cannot but observe some unhappy circumstances and accidents in this important business of the navy, which looked like the hand of Providence to take that strength, of which his majesty was most confident, out of his hands. When the resolution of the house of commons and[s] the concurrence of the lords was peremptory, and the earl of Northumberland had declared his compliance with them,[t] "for "the sending the earl of Warwick admiral of that "fleet, in the place of sir John Pennington, upon "whom the king depended;" it was resolved likewise by them[u], "that captain Carteret, controller of "his majesty's navy, a man of great eminency and "reputation in naval command, should be vice-ad-"miral;" who[x] thinking it became his near relation to his majesty's service, to receive his royal pleasure, before he engaged himself in any employment of that nature, addressed himself for his directions.[y] But the king, looking upon the fleet in a manner[z] taken from him, when another, whose disaffection to his service was very notorious, was, contrary to his ex-

[r] that were like to be] who were

[s] and] and after

[t] the earl of Northumberland had declared his compliance with them,] the earl of Northumberland's compliance with them as obstinate,

[u] by them] *Not in MS.*

[x] who] he

[y] his directions.] his princely directions.

[z] But the king, looking upon the fleet in a manner] The king thought his fleet upon the matter

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press pleasure, presumptuously put into the command of it, and his own minister displaced for no other reason (his sufficiency and ability for command being by all men confessed) but his zeal and integrity to him, would not[b] countenance that fleet, and that admiral, with suffering an officer of his own to command in it under the other; and therefore ordered[c] captain Carteret to decline the employment, which he prudently, and without noise, did; and thereupon, another officer of the navy, the[d] surveyor general, captain Batten, a man of very different inclinations to his master, and his service, and furious in the new fancies of religion, was substituted in the place: whereas if captain Carteret had been suffered to have taken that charge, his interest and reputation in the navy was so great, and his diligence and dexterity in command so eminent, that it was generally believed,[e] he would, against whatsoever the earl of Warwick could have done, have preserved a major part of the fleet in their duty to the king. The misfortunes which happened after, and are mentioned before, are not in justice to be imputed to sir John Pennington; who, sure, was a very honest gentleman, and of unshaken faithfulness and integrity to the king; but to the little time he had to think of it: and the perplexity he was in (besides his true zeal to the service) to consider[f] that so great a work,[g] as the recovery of the royal navy, was to be[h] done by his own[i] personal engage-

[b] would not] and therefore he would not
[c] and therefore ordered] and so wished
[d] the] even the
[e] that it was generally believed,] that I verily believe,
[f] to consider] to think
[g] a work,] a service,
[h] was to be] should be
[i] own] *Not in MS.*

ment, made him look so little[l] to his own security, that, instead of taking the fleet from the earl of Warwick, he was[m] himself taken by the earl, and sent to the parliament; where the carrying over the lord Digby, and some other jealousies, had left a great arrear of displeasure against him.

The truth is, the king was so confident upon the general affections of the seamen, who were a tribe of people more particularly countenanced and obliged by him than other men, his majesty having increased their allowance, in provision and money, above the old establishment of the navy, as hath been mentioned[n]; that he did believe no activity of ill officers could have corrupted them; but that, when the parliament had set out and victualled the fleet, it would, upon any occasion, declare itself at his devotion. But,[o] on the other side, they had been taught to believe, that all the king's bounty and grace towards them had flowed from the mediation of those officers, who were now engaged against the king; and that, the parliament having seized the customs, and all other the revenues of the crown,[p] they had no other hope of pay or subsistence, but by absolutely devoting themselves to their service; so that a greater or more general defection of any one order of men was never known, than that, at this time, of the seamen; though many gentlemen, and some few of the common sort, to their lasting honour and reputation, either addressed themselves to the active service of their sovereign, or suffered imprisonment,

[l] made him look so little] *Not in MS.* and to look so vigilantly

[m] he was] he was not

[n] as hath been mentioned]

[o] But,] *Not in MS.*

[p] of the crown,] of the king,

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and the loss of all they had, for refusing to serve against him.

The news of this diminution of his majesty's power, and terrible addition of strength to his enemies, was a great allay to the brisk hopes at York, upon the arrival of their ammunition, and wise men easily discerned the fatal consequence of it in opposition to the king's[q] most hopeful designs; yet, in a very short time, all visible sense of it so much vanished, that (as there was a marvellous alacrity at that time, in despising all advantages of the parliament) some[r] men publicly, and with great confidence, averred, "that the king was a gainer by the "loss of his fleet, because he had no money to pay "the seamen, or keep them together; and that one "victory at land, of which there was no doubt, "would restore him to his dominion at sea, and to "whatsoever had been unjustly taken from his ma-"jesty."

The king[s] found it was now time to do more than write declarations, when the parliament was[t] now entirely possessed of the militia by sea, and made such a progress in the attempt to obtain[u] the same at land, that though the people generally, (except in great towns and corporations, where, besides the natural malignity, the factious lecturers and emissaries from the parliament had poisoned their affections,) and especially those of quality, were loyally inclined; yet the terror of the house of commons was so great, which sent for and grievously punished those sheriffs and mayors, who published, accord-

[q] king's] *Not in MS.*
[r] some] *Not in MS.*
[s] The king] But the king
[t] when the parliament was] that they were
[u] to obtain] to resume

ing to their duties and express oaths, his majesty's proclamation, and those ministers, who, according to his injunctions, read and divulged his declarations, that all such, and indeed all others eminently affected to the king, were forced to fly to York for protection, or to hide themselves in corners from that inquisition which was made for them. And therefore his majesty, in the first place, that he might have one harbour to resort to in his kingdom, sent the earl of Newcastle, privately, with a commission to take the government of Newcastle; who against the little opposition, that was prepared by the schismatical party in the town, by his lordship's great interest in those parts, the ready compliance of the best of the gentry, and the general good inclinations of the place, speedily and dexterously assured that most important rich town and harbour to the king; which, if it had been omitted but very few days, had been seized on by the parliament, who had then given direction to that purpose. Then for the protection of the general parts of the kingdom, and keeping up their affections, his majesty appointed and sent many of the nobility and prime gentlemen of the several counties, who attended him, into their respective[x] counties to execute the commission of array, making the marquis of Hertford, by commission under the great seal of England, (which he was to keep secret in reserve, till he found, either by the growth, or extraordinary practice of the parliament in raising forces, that the commission of array was not enough,) "his lieutenant general of all the west-"ern parts of the kingdom, with power to levy such "a body of horse and foot, as he found necessary for

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[x] respective] *Not in MS.*

BOOK V.

1642.

"his majesty's service, and the containing the peo-
"ple within the limits of their duty." With the marquis went the earl of Bath, (thought then to be in[y] notable power and interest in Devonshire,) the lord Pawlet, the lord Seymour, sir Ralph Hopton, sir John Berkley, sir Hugh Pollard, and others, very[z] good officers, to form an array[a] if it should be found expedient. And so, much of the lustre of the court being abated by the remove of so many persons of honour and quality,[b] the king began to think of increasing and forming his train into a more useful posture, than it was yet; and, without any noise of raising an army, to make the scene of his first action to be the recovery of Hull (whither new forces were sent from London) by the ordinary forces and trained bands of that county; by colour whereof, he hoped to have such resort, that he should need no other industry to raise such an army as should be sufficient to preserve himself from the violence which threatened his safety; and accordingly, that the people might fully understand his intentions, he summoned some of the trained bands to attend him at Beverley, a town within four miles of Hull, whither he removed his court, and published a proclamation, briefly containing "the rebellion of sir John Hotham, in holding "that town by a garrison against him; his demanding justice from the two houses without effect; the "seizing his fleet at sea; and the hostile acts of "sir John Hotham upon the inhabitants of that "town, many of whom he turned out of their ha-"bitations; and upon the neighbour county, by im-

The king's proclamation from Beverley.

[y] in] of
[z] others, very] other very
[a] an array] an army
[b] quality,] *MS. adds:* though it was spread farther by their necessary absence,

" prisoning many, and driving others for fear from " their houses: and therefore that he was resolved " to reduce the same by force: inhibiting all com- " merce or traffic with the said town, whilst it con- " tinued in rebellion." 1642.

Which proclamation he likewise sent to both houses of parliament, with this further signification, " That, before he would use force to reduce " that place to its due obedience, he had thought fit " once more to require them, that it might be forth- " with delivered to him; wherein if they should " conform themselves, his majesty would be then " willing to admit such addresses from them, and " return such propositions to them, as might be pro- " per to settle the peace of the kingdom, and com- " pose the present distractions. He wished them to " do their duty, and to be assured from him, on[c] " the word of a king, that nothing should be want- " ing on his part, that might prevent the calamities " which threatened the nation, and might render his " people truly happy; but if that his gracious in- " vitation should be declined, God and all good men " must judge between them:" and assigned a day, by which he would expect their answer at Beverley.

In the mean time, to encourage the good affections of Nottinghamshire, which seemed almost entirely to be devoted to his service, and to countenance and give some life to his friends[d] in Lincolnshire, where, in contempt of his proclamation,[e] the ordinance of the militia had been boldly executed by the lord Willoughby of Parham, and some mem-

[c] on] in
[d] to his friends] to those
[e] proclamation,] proclamations,

BOOK V. 1642.

bers of the house of commons, his majesty took a short progress to Newark; and, after a day's stay, from thence to Lincoln; and so, by the day appointed, returned to Beverley; having, in both those places, been attended with such an appearance of the gentlemen and men of quality, and so full a concourse of the people, as one might reasonably have guessed the affections of both those counties would have seconded any just and regular service for the king.

They at London were not less active; but, upon their success in the business of the navy, proceeded to make themselves strong enough, at least, to keep what they had; and therefore, having, by their ordinance of the militia, many voluntary companies formed of men according to their own hearts; and, by their subscriptions, being supplied with a good stock of money, and a good number of horse; before the king's message from Beverley came to them, on the twelfth of July, being the same day the message went from the king, both houses voted and declared, "That an army should be forthwith raised "for the safety of the king's person; defence of both "houses of parliament, and of those who had obeyed "their orders and commands; and preserving of the "true religion, the laws, liberty, and peace of the "kingdom. That the earl of Essex should be their "general, and that they would live and die with "him." And, having put themselves into this posture of treating, the same day they agreed that a petition should be framed, "to move the king to a "good accord with the parliament, to prevent a civil "war;" the which was purposely then consented to,

The votes of both houses for raising an army.

that the people might believe, the talk[f] of an army and a general was only to draw the king to the more reasonable concessions. And it is certain, the first was consented to by many, especially of the house of peers, (in hope the better to compass the other,) with the perfect horror of the thought of a war. Though the king's message came to them before their own was despatched, yet, without the least notice taken of it, and lest the contents of their petition might be known before the arrival of their own messengers, the earl of Holland, sir John Holland, and sir Philip Stapleton, being the committee appointed for the same, made a speedy and quick journey for Beverley;[g] and arrived in the same minute that the king came thither from Lincoln: so that his majesty no sooner heard of the raising an army, and declaring a general against him, but he was encountered with the messengers for peace; who reported to all whom they met, and with whom they conversed, "that "they had brought so absolute a submission from "the parliament to the king, that there could be no "doubt of a firm and happy peace:" and when the earl of Holland presented the petition, he first made a short speech to the king, telling him, "that the "glorious motto of his blessed father, king James, "was *Beati pacifici*, which he hoped his majesty "would continue; that they presented him with the "humble duty of his two houses of parliament, who "desired nothing from him but his consent, and ac- "ceptance of peace; they aiming at nothing but his "majesty's honour and happiness:" and then read their message aloud, in these words:

1642.

[f] the talk] the other talk

[g] for Beverley;] to Beverley;

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1642.

The parliament's petition to the king at Beverley, July 15, 1642.

[h] *To the king's most excellent majesty, the humble petition of the lords and commons assembled in parliament.*

" May it please your majesty:

" Although we, your majesty's most humble and " faithful subjects, the lords and commons in parlia- " ment assembled, have been very unhappy in many " former petitions and supplications to your majesty; " wherein we have represented our most dutiful af- " fections in advising and desiring those things, " which we held most necessary for the preserva- " tion of God's true religion, your majesty's safety " and honour, and the peace of the kingdom: and, " with much sorrow, do perceive that your majesty, " incensed by many false calumnies and slanders, " doth continue to raise forces against us, and your " other peaceable and loyal subjects; and to make " great preparations for war, both in the kingdom, " and from beyond the seas; and, by arms and vio- " lence, to overrule the judgment and advice of your " great council; and by force to determine the ques- " tions there depending, concerning the government " and liberty of the kingdom: yet, such is our " earnest desire of discharging our duty to your " majesty and the kingdom, to preserve the peace " thereof, and to prevent the miseries of civil war " amongst your subjects, that, notwithstanding we " hold ourselves bound to use all the means and " power, which, by the laws and constitutions of " this kingdom, we are trusted with for defence " and protection thereof, and of the subjects from " force and violence, we do, in this our humble and

[h] *This petition is in the handwriting of lord Clarendon's amanuensis.*

" loyal petition, prostrate ourselves at your majesty's " feet; beseeching your royal majesty, that you will be " pleased to forbear and remove all preparations and " actions of war; particularly the forces from about " Hull, from Newcastle, Tinmouth, Lincoln, and " Lincolnshire, and all other places. And that your " majesty will recall the commissions of array, which " are illegal; dismiss troops, and extraordinary guards " by you raised: that your majesty will come nearer " to your parliament, and hearken to their faithful " advice and humble petitions; which shall only tend " to the defence and advancement of religion, your " own royal honour and safety, and [i] the preservation " of our laws and liberties. And we have been, and " ever shall be, careful to prevent and punish all tu- " mults, and seditious actions, speeches, and writings, " which may give your majesty just cause of distaste, " or apprehension of danger. From which public " aims and resolutions no sinister or private respect " shall ever make us to decline. That your majesty " will leave delinquents to the due course of justice; " and that nothing done or spoken in parliament, or " by any person in pursuance of the command and " direction of both houses of parliament [k], be ques- " tioned any where but in parliament.

" And we, for our parts, shall be ready to lay " down all those preparations, which we have been " forced to make for our defence. And for the town " of Hull, and the ordinance concerning the militia, " as we have, in both these particulars, only sought " the preservation of the peace of the kingdom, and " the defence of the parliament from force and vio-

1642.

[i] and] *Not in MS.*

[k] of parliament] *Not in MS.*

BOOK V. 1642.

"lence; so we shall most willingly leave the town "of Hull in the state it was, before sir John Hotham "drew any forces into it; delivering your majesty's "magazine into the tower of London, and supplying "whatsoever hath been disposed by us for the ser- "vice of the kingdom. We shall be ready to settle "the militia by a bill, in such a way as shall be ho- "nourable and safe for your majesty, most agreeable "to the duty of parliament, and effectual for the "good of the kingdom; that the strength thereof be "not employed against itself, and that which ought "to be for our security, applied to our destruction; "and that the parliament, and those who profess "and desire still to preserve the protestant religion, "both in this realm and in Ireland, may not be left "naked, and indefensible to the mischievous designs "and cruel attempts of those, who are the professed "and confederated enemies thereof in your majesty's "dominions, and other neighbour nations. To which "if your majesty's courses and counsels shall from "henceforth concur, we doubt not but we shall quick- "ly make it appear to the world, by the most emi- "nent effects of love and duty, that your majesty's "personal safety, your royal honour and greatness, "are much dearer to us than our own lives and for- "tunes, which we do most heartily dedicate, and "shall most willingly employ for the support and "maintenance thereof."

As soon as this petition was read by the earl of Holland, the king told them, "that the reproaches "cast upon him by it were not answerable to the "expressions his lordship had made; and that he "was sorry that they thought the exposing him and "his honour to so much scandal, was the way to

" procure or preserve the peace of the kingdom: " that they should speedily receive his answer; by " which the world would easily discern who desired " peace most." And accordingly, the second day, his majesty delivered them, in public, his answer to their petition, which was likewise read by one of his servants, in these words:

His majesty's answer.

[1] *His majesty's answer to the petition of the lords and commons assembled in parliament.*

" Though his majesty had too great reason to be- " lieve that the directions sent to the earl of War- " wick, to go to the river Humber, with as many " ships as he should think fit, for all possible assist- " ance to sir John Hotham, (whilst his majesty ex- " pected the giving up of the town unto him,) and " to carry away such arms from thence, as his dis- " cretion thought fit to spare out of his majesty's own " magazine; the choosing a general by both houses " of parliament, for the defence of those who have " obeyed their orders and commands, be they never " so extravagant and illegal; their declaration, that, " in that case, they would live and die with the earl " of Essex their general; (all which were voted the " same day with this petition;) and the committing " the lord mayor of London to prison, for executing " his majesty's writs and lawful commands; were " but ill prologues to a petition, which might com- " pose the miserable distractions of the kingdom; " yet his majesty's passionate desire of the peace of " the kingdom, together with the preface of the

[1] *This answer is likewise in the handwriting of lord Clarendon's amanuensis.*

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" presenters, That they had brought a petition full " of duty and submission to his majesty; and " which desired nothing of him but his consent " to peace, (which his majesty conceived to be the " language of both houses too,) begot a greedy hope " and expectation in him, that this petition would " have been such an introduction to peace, that it " would at least have satisfied his message of the " eleventh of this month, by delivering up Hull unto " his majesty. But, to his unspeakable grief, his ma- " jesty hath too much cause to believe, that the end " of some persons, by this petition, is not in truth to " give any real satisfaction to his majesty; but, by " the specious pretences of making offers to him, to " mislead and seduce his people, and lay some impu- " tation upon him, of denying what is fit to be grant- " ed; otherwise, it would not have thrown those un- " just reproaches and scandals upon his majesty, for " making a [m] necessary and just defence for his own " safety; and so peremptorily justified such actions [n] " against him, as by no rule of law or justice can " admit the least colour of defence: and, after so " many free and unlimited acts of grace passed by " his majesty without any condition, have proposed " such things which, in justice, cannot be denied " unto him, upon such conditions as, in honour, he " cannot grant. However, that all the world may " see how willing his majesty would be to embrace " any overture, that might beget a right understand- " ing between him and his two houses of parliament, " (with whom, he is sure, he shall have no contention, " when the private practices and subtle insinuations

[m] a] *Not in MS.* [n] actions] action

" of some few malignant persons shall be discovered, " which his majesty will take care shall be speedily " done,) he hath, with great care, weighed the par- " ticulars of this petition, and returns this answer: 1642.

" That the petitioners were never unhappy in their " petitions or supplications to his majesty, while they " desired any thing which was necessary or conve- " nient for the preservation of God's true religion, " his majesty's safety and honour, and the peace of " the kingdom: and therefore, when those general " envious foundations are laid, his majesty could wish " some particular instances had been applied. Let " envy and malice object one particular proposition " for the preservation of God's true religion which " his majesty hath refused to consent to; what him- " self hath often made for the ease of tender con- " sciences, and for the advancement of the protestant " religion, is notorious by many of his messages and " declarations. What regard hath been to his ho- " nour and safety, when he hath been driven from " some of his houses, and kept from other of his " towns by force; and what care there hath been of " the peace of the kingdom, when endeavours have[o] " been used to put all his subjects in arms against " him, is so evident, that, his majesty is confident, " he cannot suffer by those general imputations. It " is enough that the world knows what he hath " granted, and what he hath denied.

" For his majesty's raising forces, and making " preparations for war, (whatsoever the petitioners, " by the evil arts of the enemies to his majesty's " person and government, and by the calumnies and

[o] endeavours have] endeavour hath

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" slanders raised against his majesty by them, are " induced to believe,) all men may know what is " done that way is but in order to his own defence. " Let the petitioners remember, that (which all " the world knows) his majesty was driven from his " palace of Whitehall for safety of his life: that both " houses of parliament, upon their own authority, " raised a guard to themselves, (having gotten the " command of all the trained bands of London to " that purpose,) without the least colour or shadow " of danger: that they usurped a power, by their " pretended ordinance, against all principles and ele- " ments of law, over the whole militia of the king- " dom, without and against his majesty's consent: " that they took possession of his town, fort, and ma- " gazine of Hull, and committed the same to sir " John Hotham; who shut the gates against his ma- " jesty, and, by force of arms, denied entrance thither " to his own person: that they justified this act " which they had not directed, and took sir John " Hotham into their protection for whatsoever he " had done, or should do, against his majesty: and " all[p] this, whilst his majesty had no other attend- " ance than his own menial servants. Upon this, the " duty and affection of this county prompted his sub- " jects here to provide a small guard for his own " person; which was no sooner done, but a vote sud- " denly passed of his majesty's intention to levy war " against his parliament, (which, God knows, his " heart abhorreth;) and, notwithstanding all his ma- " jesty's professions, declarations, and protestations " to the contrary, seconded by the clear testimony of

[p] all] *Not in MS.*

" so great a number of peers upon the place, propo- 1642.
" sitions and orders for levies of men, horse, and
" arms, were sent throughout the kingdom; plate
" and money brought in and received; horse and
" men raised towards an army, mustered, and under
" command; and all this contrary to the law, and to
" his majesty's proclamation: and a declaration pub-
" lished, that if he should use force for the recovery
" of Hull, or suppressing the pretended ordinance for
" the militia, it should be held levying war against
" the parliament: and all this done, before his ma-
" jesty granted any commission for the levying or
" raising a man. His majesty's ships were taken
" from him, and committed to the custody of the
" earl of Warwick; who presumes, under that pow-
" er, to usurp to himself the sovereignty of the sea,
" to chase, fright, and imprison such of his majesty's
" good subjects, as desire to obey his lawful com-
" mands; although he had notice of the legal revo-
" cation of the earl of Northumberland's commission
" of admiral, whereby all power derived from that
" commission ceased.

" Let all the world now judge who begun[q] this
" war, and upon whose account the miseries, which
" may follow, must be cast; what his majesty could
" have done less than he hath done; and whether he
" were not compelled to make provision both for the
" defence of himself, and recovery of what is so vio-
" lently and injuriously taken from him; and whe-
" ther these injuries and indignities are not just
" grounds for his majesty's fears and apprehensions
" of further mischief and danger to him. Whence

[q] begun] began

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"the fears and jealousies of the petitioners have "proceeded, hath never been discovered; the dan- "gers they have brought upon his subjects are too "evident; what those are they have prevented, no "man knows. And therefore his majesty cannot "but look upon that charge as the boldest, and the "most scandalous, hath been yet laid upon him; "That this necessary provision, made for his own "safety and defence, is to overrule the judgment and "advice of his great council; and by force to deter- "mine the questions there depending, concerning "the government and liberty of the kingdom. If no "other force had been raised to determine those "questions, than by his majesty, this unhappy mis- "understanding had not been: and his majesty no "longer desires the blessing and protection of Al- "mighty God upon himself and his posterity, than "he and they shall solemnly observe the due execu- "tion of the laws, in the defence of parliaments, and "the just freedom thereof.

"For the forces about Hull, his majesty will re- "move them[r], when he hath obtained the end for "which they were brought thither. When Hull "shall be again reduced[s] to his subjection, he will "no longer have an army before it. And when he "shall be assured, that the same necessity and pre- "tence of public good, which took Hull from him, "may not put a garrison into Newcastle to keep the "same against him, he will remove his from thence, "and from Tinmouth; till when, the example of "Hull will not out of his memory.

"For the commissions of array, which are legal,

[r] them] *Not in MS.* [s] again reduced] reduced again

" and are so proved by a declaration now in the press, " his majesty wonders why they should, at this time, " be thought grievous, and fit to be recalled: if the " fears of invasion and rebellion be so great, that, by " an illegal, pretended ordinance, it is necessary to " put his subjects into a posture of defence, to ar- " ray, train, and muster them, he knows not why " the same should not be done in a regular, known, " lawful way. But if, in the execution of that com- " mission, any thing shall be unlawfully imposed upon " his good subjects, his majesty will take all just and " necessary care for their redress.

" For his majesty's coming nearer to his parlia- " ment, his majesty hath expressed himself so fully " in his several messages, answers, and declarations, " and so particularly avowed a real fear of his safety, " upon such instances as cannot be answered, that " he hath reason to take himself somewhat neglect- " ed, that, since upon so manifest reasons it is not " safe for his majesty to come to them, both his " houses of parliament will not come nearer to his " majesty, or to such a place where the freedom and " dignity of parliament might be preserved. How- " ever, his majesty shall be very glad to hear of some " such example in their punishing the tumults (which " he knows not how to expect, when they have de- " clared that they knew not of any tumults; though " the house of peers desired, both for the freedom " and dignity of parliament, that the house of com- " mons would join with them in a declaration against " tumults; which they refused, that is, neglected to " do) and other seditious actions, speeches, and writ- " ings, as may take that apprehension of danger from " him; though, when he remembers the particular

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" complaints himself hath made of businesses of that
" nature, and that, instead of inquiring out the au-
" thors, neglect of examination hath been, when of-
" fer hath been made to both houses to produce the
" authors; as in that treasonable paper concerning
" the militia: and when he sees every day pamphlets
" published against his crown, and against monarchy
" itself; as the observations upon his late messages,
" declarations, and expresses; and some declarations
" of their own, which give too great encouragement,
" in that argument, to ill affected persons; his ma-
" jesty cannot, with confidence, entertain those hopes
" which would be most welcome to him.

" For the leaving delinquents to the due course
" of justice, his majesty is most assured there [t] hath
" been no shelter to any such. If the tediousness
" and delay in prosecution, the vast charge in officers'
" fees, the keeping men under a general accusation,
" without trial, a whole year and more, and so allow-
" ing them no way for their defence and vindication,
" hath [u] frightened men away from so chargeable
" and uncertain attendance, the remedy is best pro-
" vided where the disease grew. If the law be the
" measure of delinquency, none such are within his
" majesty's protection: but if by delinquents such
" are understood, who are made so by vote, without
" any trespass upon any known or established law:
" if by delinquents those nine lords are understood,
" who are made delinquents for obeying his ma-
" jesty's summons to come to him, after their stay
" there was neither safe nor honourable, by reason
" of the tumults, and other violences; and whose

[t] there] he [u] hath] have

" impeachment, he is confident, is the greatest breach " of privilege, that, before this parliament, was ever " offered to the house of peers: if by delinquents " such are understood, who refuse to submit to the " pretended ordinance of the militia; to that of the " navy; or to any other, which his majesty hath not " consented to; such who for the peace of the king- " dom, in an humble manner, prepare petitions to " him, or to both houses, as his good subjects of " London and Kent did; whilst seditious ones, as " that of Essex, and other places, are allowed and " cherished: if by delinquents such are understood, " who are called so for publishing his proclamations, " as the lord mayor of London; or for reading his " messages and declarations, as divers ministers about " London and elsewhere; when those against him " are dispersed with all care and industry, to poison " and corrupt the loyalty and affection of his people: " if by delinquents such are understood, who have, " or shall lend his majesty money, in the universi- " ties, or in any other places; his majesty declares " to all the world, that he will protect such with his " utmost power and strength; and directs, that, in " these cases, they submit not to any messengers, or " warrant; it being no less his duty to protect those " who are innocent, than to bring the guilty to con- " dign punishment; of both which the law is to be " judge. And if both houses do think fit to make a " general, and to raise an army for defence of those " who obey their orders and commands, his majesty " must not sit still, and suffer such who submit to " his just power, and are solicitous for the laws of " the land, to perish and be undone, because they are " called delinquents. And when they shall take upon

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"them to dispense with the attendance of those "who are called by his majesty's writ, whilst they "send them to sea, to rob his majesty of his ships; "or into the several counties, to put his subjects in "arms against him; his majesty (who only hath it) "will not lose the power to dispense with them to "attend his own person; or to execute such offices, "as are necessary for the preservation of himself "and the kingdom; but must protect them, though "they are called delinquents.

"For the manner of the proceeding against de-"linquents, his majesty will proceed against those "who have no privilege of parliament, or in such "cases where no privilege is to be allowed, as he "shall be advised by his learned council, and ac-"cording to the known and unquestionable rules of "the law; it being unreasonable, that he should be "compelled to proceed against those who have vio-"lated the known and undoubted law, only before "them who have directed such violation.

"Having said thus much to the particulars of "the petition, though his majesty hath reason to "complain, that, since the sending this petition, "they have beaten their drums for soldiers against "him; armed their own general with a power de-"structive to the law, and liberty of the subjects; "and chosen a general of their horse; his majesty, "out of his princely love, tenderness, and compas-"sion of his people, and desire to preserve the "peace of the kingdom, that the whole force and "strength of it may be united for the defence of it-"self, and the relief of Ireland, (in whose behalf he "conjures both his houses of parliament, as they "will answer the contrary to Almighty God, his

" majesty, to those who trust them, and to that
" bleeding, miserable kingdom, that they suffer not
" any monies, granted and collected by act of par-
" liament, to be diverted or employed against his
" majesty; whilst his soldiers in that kingdom are
" ready to mutiny, or perish for want of pay; and
" the barbarous rebels prevail by that encourage-
" ment,) is graciously pleased once more to propose
" and require,

" That his town of Hull be immediately deli-
" vered up to him; which being done, (though his
" majesty hath been provoked by unheard of inso-
" lences of sir John Hotham's, since his burning
" and drowning the country, in seizing his wine,
" and other provisions for his house, and scornfully
" using his servant, whom he sent to require them;
" saying, it came to him by Providence, and he will
" keep it; and so refusing to deliver it, with threats
" if he, or any other of his fellow-servants, should
" again repair to Hull about it; and in taking and
" detaining prisoners, divers gentlemen, and others,
" in their passage over the Humber into Lincoln-
" shire about their necessary occasions; and such
" other indignities, as all gentlemen must resent in
" his majesty's behalf,) his majesty, to shew his ear-
" nest desire of peace, for which he will dispense
" with his own honour, and how far he is from de-
" sire of revenge, will grant a free and general par-
" don to all persons within that town.

" That his majesty's magazine, taken from Hull,
" be forthwith put into such hands, as he shall ap-
" point.

" That his navy be forthwith delivered into such
" hands, as he hath directed for the government

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" thereof: the detaining thereof after his majesty's " directions, published and received, to the con- " trary; and employing his ships against him in " such manner as they are now used, being noto- " rious high treason in the commanders of those " ships.

" That all arms, levies, and provisions for a war, " made by the consent of both houses, (by whose " example his majesty hath been forced to make " some preparations,) be immediately laid down; " and the pretended ordinance for the militia, and " all power of imposing laws upon the subject with- " out his majesty's consent, be disavowed; without " which, the same pretence will remain to produce " the same mischief. All which his majesty may as " lawfully demand as to live, and can with no more " justice be denied him, than his life may be taken " from him.

" These being done, and the parliament adjourned " to a safe and secure place, his majesty promises, " in the presence of God, and binds himself by all " his confidence and assurance in the affection of " his people, that he will instantly, and most cheer- " fully, lay down all the force he shall have raised, " and discharge all his future and intended levies; " that there may be a general face of peace over the " whole kingdom; and will repair to them: and " desires, that all differences may be freely debated " in a parliamentary way; whereby the law may " recover its due reverence, the subject his just li- " berty, and parliaments themselves their full vigour " and estimation; and so the whole kingdom a " blessed peace, quiet, and prosperity.

" If these propositions shall be rejected, his ma-

" jesty doubts not of the protection and assistance " of Almighty God, and the ready concurrence of " his good subjects; who can have no hope left " them of enjoying their own long, if their king " may be oppressed and spoiled, and must be reme- " diless. And though his towns, his ships, his " arms, and his money, be gotten, and taken from " him, he hath a good cause left, and the hearts of " his people; which, with God's blessing, he doubts " not, will recover all the rest. 1642.

" Lastly, if the preservation of the protestant re- " ligion, the defence of the liberty and laws[x] of the " kingdom, the dignity and freedom of parliament, " and the recovery and the relief of bleeding and " miserable Ireland, be equally precious to the peti- " tioners, as they are to his majesty, (who will have " no quarrel but in defence of these,) there will be a " cheerful and speedy consent to what his majesty " hath now proposed and desired: and of this his " majesty expects a full and positive answer by " Wednesday the 27th of this instant July; till " when he shall not make any attempt of force " upon Hull, hoping in the affection, duty, and loy- " alty of the petitioners: and, in the mean time, " expects that no supply of men be put into Hull, " nor[y] any of his majesty's goods taken from thence."

The whole court, upon the hearing that petition from the two houses read, expressed a marvellous indignation at the intolerable indignities offered to the king by it; and seemed no better satisfied with the messengers; who had professed, that they brought an absolute submission to his majesty; when, in

[x] laws] law

[y] nor] or

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truth, what they brought appeared to be a full justification of whatsoever they had done before, and an implied threat of doing worse, and fixing all the scandals upon his majesty, which they had scattered abroad before: insomuch that[z] all men expected and believed his majesty to be engaged, for the vindication of his princely dignity and honour, to return a much sharper answer to them than he had ever sent. So that, when this which is before set down (and which had before been consented to, and approved in the full assembly of the peers and counsellors) was read publicly, it was generally thought, that the king had not enough resented the insolence and usurpation of the parliament, or appeared sensible enough of the provocations: yet the thought of a war, which wise men saw actually levied upon the king already, was so much abhorred, and men were so credulous of every expedient which was pretended for peace, that by the next morning (the answer being delivered in the evening) these active messengers for the parliament persuaded many "that the king's answer was too sharp, and "would provoke the houses, who were naturally "passionate, to proceed in the high ways they were "in; whereas, if the king would abate that severity "of language, and would yet take off the preamble "of his answer, they were confident, and the earl of "Holland privately offered to undertake, that satis-"faction should be given to all that his majesty "proposed." And, by this means, some were so far wrought upon, as they earnestly importuned the king, "that he would take his answer, which he

[z] that] as

"had publicly delivered the night before, from the "messengers; and, instead thereof, return only the "matter of his own propositions, [a] in the most soft "and gentle language; without the preamble, or "any mention of the [b] unjustifiable and unreason-"able demeanour of the parliament [c] towards him."

But his majesty replied, "that he had for a long "time, even after great provocations, and their first "general remonstrance to the people, treated with "all imaginable compliance and lenity of words "with them; and discovered their unjustifiable and "extravagant [d] proceedings with and against him, "and the consequences that would inevitably at-"tend their progress in them, with such tender ex-"pressions, as if he believed whatever was amiss to "proceed from misinformation only, and unskilful "mistakes: that this gentleness and regard of his "was so far from operating upon them, that their "insolence and irregularities increased; and it might "be from that reason, that [e] their messages and de-"clarations were writ [f] in so high a dialect, and with "that sovereignty of language, as if he were sub-"ject to their jurisdiction; and did not [g] know but "it might have some influence upon his people to "his disadvantage, that is, raise terror towards "them, and lessen their reverence towards his ma-"jesty, when all their petitions and propositions "were more imperative than his just and necessary "refusals: which condescension his majesty had

[a] only the matter of his own propositions,] the sum matter of his own propositions only,

[b] the] their

[c] of the parliament] *Not in MS.*

[d] extravagant] most extravagant

[e] that] and

[f] writ] written

[g] did not] he did not

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" brought himself to, in hope, that his example, and " their natural shame, would have reformed that " new licence of words: that this last address, un- " der the name of a petition, (a few days after they " had violently ravished his whole fleet from him; " and prepared the same day, that they had chosen " a general, to whom they had sworn allegiance, to " lead an army against him,) contained a peremp- " tory justification of whatsoever they had done, " and as peremptory a threatening of whatsoever " they could do: and therefore, if he should now " retract his answer, which had been solemnly con- " sidered in council, before all the peers, and which " in truth implied rather a princely resentment of " the indignities offered to him, than flowed with " any sharp or bitter expressions, he should, by such " yielding, give encouragement to new attempts; " and could not but much discourage those, upon " whose affections and loyalty he was principally to " depend; who could not think it safe to raise them- " selves to an indignation on his behalf, when he " expressed so tender or so little sense of his own " sufferings: besides, that he was then upon an " avowed hostile enterprise for the reduction of " Hull; towards which he was to use all possible " means to draw a force together, equal to that de- " sign; and by such a retraction[h] as this proposed, " and a seeming declension of his spirit, and de- " pending upon their good natures, who had done " all this mischief, he should not only be inevitably " disappointed of the resort of new strength, but, " probably, deserted by those few whom he had

[h] retraction] retractation

" brought together: that he could not reasonably
" or excusably depend upon the undertaking of the
" earl of Holland; who had so grossly deceived him
" in other undertakings, which were immediately in
" his own power to have performed: whereas nei-
" ther he, nor[i] either of the other two gentlemen,
" who were joined with him in this employment,
" had so much interest with the active and prevail-
" ing party, as to know more of their intentions
" than was at present necessary to be discovered for
" their concurrence.

" He said, that he had never yet consented to
" any one particular, since the beginning of this
" parliament, by which he had received prejudice,
" at the doing whereof he had not the solemn un-
" dertakings and promises of those, who were much
" abler to justify their undertakings than the earl of
" Holland; and upon whom he only depended, that
" it should be no disservice to him, and would be
" an infallible means to compass all that his ma-
" jesty desired:[k] but he had always found those
" promisers and undertakers, though they could
" eminently carry on any counsel, or conclusion,
" that was against law, justice, or his right, had
" never power to reduce or restrain those agitations
" within any bounds of sobriety and moderation:
" and when they found that many would not be
" guided by them, that they might seem still to
" lead, themselves as furiously followed the other;
" and resorted again to his majesty with some new
" expedient, as destructive as the former. So that
" he was resolved[l] to rely upon God Almighty, and

[i] nor] or
[k] desired :] reasonably desired :
[l] resolved] henceforward resolved

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"not so much to depend upon what might possibly "prevail upon the affections of those, from whom, "reasonably, he could not expect any good, as upon "such plain and avowed courses, as, let the success "be what it would, must, to all judging men, ap- "pear to be prudently and honourably relied on:[m] "and therefore he positively refused to make the "least alteration in his answer." And so the messengers departed, leaving the court and country worse affected than they found it; and branding some particular persons, whom they found less inclined to be ruled by their professions and promises, "as the authors of a civil war:" and making them as odious as they could, wherever they came.

And sure, from that time, the earl of Holland was more transported from his natural temper and gentleness of disposition, into passion and animosity against the king and his ministers; and, having been nothing pleased with his own condition at London, finding the earl of Essex (whom he did not secretly love, and did indeed contemn[n]) to draw all men's eyes towards him, and to have the greatest interest in their hearts, he had seriously intended, under colour of this message to the king, to discover if there were any sparks yet left in his royal breast, which might be kindled into affection, or acceptation of his service; and hoped, if he could get any credit, to redeem his former trespasses: but when he not only found his majesty cold[o] towards him, but easily enough discerned, by his reception, that all former inclinations were dead, and more

[m] relied on:] to be relied on:

[n] and did indeed contemn] and indeed contemned

[o] not only found his majesty cold] found his majesty not only cold

than ordinary prejudices grown up towards him in their places, and that his advices were rejected, he returned with rancour equal to the most furious he went to; and heartily joined and concurred towards the suppressing that power, in the administration whereof he was not like to bear any part.

His majesty having, by his answer, obliged himself not to make any forcible attempt upon Hull till the 27th of July, by which time he might reasonably expect an answer to his propositions, in the mean time resolved to make some short progress into the neighbour counties; and accordingly, the same day the messengers departed, the king went to Doncaster; and the next day to Nottingham; and so to Leicester; where he heard the earl of Stamford, and some other parliament men, were executing the ordinance of the militia: but, before his majesty came thither, they removed themselves to Northampton; a town so true to them, as, if they had been pursued, would have shut their gates against the king himself, as Hull had done.

At Leicester the king was received with great expressions of duty and loyalty, by the appearance of the trained bands, and full acclamations of the people; yet there were two accidents that happened there, which, if they be at all remembered, will manifest, that if the king were loved there as he ought to be, that the parliament was more feared than he. It happened to be at the time of the general assizes, and justice Reeve (a man of a good reputation for learning and integrity; and who, in good times, would have been a good judge) sat there as judge; and Mr. Henry Hastings, younger son to the earl of Huntingdon, was purposely made

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high sheriff, to contain the county within the limits of their duty by the power of that office, as well as by the interest and relation of his family. The earl of Stamford, and his assistants, had departed the town but few hours before his majesty's entrance; and had left their magazine, which was indeed the magazine of the county, in a little storehouse at the end of the town, guarded by some inferior officers, whom they had brought down to train and exercise the militia, and other zealous and devoted men of the county, in all to about the number of[p] twenty-five, who had barricadoed the door of the house; and professed "to keep it against all demanders;" having provisions within it of all sorts. The king was very unwilling (coming in so peaceable a manner, at so peaceable a time) to take any notice of it. On the other hand, it was an act of too great insolence to be suffered; and, upon the matter, to leave a garrison of the rebels in possession of the town; and therefore he sent word to the judge, "that if "he took not some legal way to remove such a "force so near his majesty, his majesty would do it "in some[q] extraordinary course;" which, upon the sudden, would have puzzled him to have done; having neither soldier, cannon, nor[r] powder to effect it; the want of which as much troubled the sheriff. In the end, the gentlemen of the country, who had not yet otherwise declared themselves on either side, than by waiting on his majesty, finding that the king would not go from the town till that nuisance was removed; and that it might bring inconveniences, charge, and mischief to the county of

[p] to about the number of] to the number of about

[q] some] an

[r] nor] or

a high nature; so prevailed, that, as his majesty was contented to take no notice of it, so they within the house, in the night, upon assurance of safety and liberty to go whither they would, removed and left the house; and so that matter was quieted. BOOK V. 1642.

The other accident[t] was, or was like to have proved, more ridiculous: Some of the king's servants, hearing that the earl of Stamford, and the other militia men, were newly gone out of the town, had of themselves, coming thither before the king, galloped after them; intending to have apprehended them, and brought them before the king; and, though the other were too fleet for them, had, in the way, overtaken Dr. Bastwick, a man well known, who had been a principal officer with them at Leicester, and fled at the same time, but could not keep pace with his commanders: him they brought to the town, where, by the sheriff, he was committed to prison; having confessed enough treason, and justifying it, as would have justly hanged any subject. The king thought once to have had him indicted then at the assizes, upon the plain statute of 25 Edw. III. But the judge besought his majesty not to put a matter of so great moment, upon which the power of the two houses of parliament, and a parliament sitting, must be determined, before one single judge, whose reputation was not enough to bear so great a burden: however, he declared his own opinion fully to his majesty, "that it was trea-"son; which, he believed, all the other judges must "acknowledge; and, if[s] convened together by his "majesty to that purpose, he thought a joint decla-

[s] accident] *Not in MS.* [t] if] being

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"ration and resolution of all together might be of "great use to the king; whereas the publishing of "his particular opinion could only destroy himself, "and nothing advance his majesty's service: be- "sides, he had no reason to be so confident of the "country, as to conclude, that a jury, then sud- "denly summoned, would have courage to find the "bill; and then their not doing it, if it were at- "tempted, would prove a greater countenance to "the ordinance, than the votes[u] of the two houses "had yet given it." This last reason gave his majesty satisfaction;[x] so that he was contented that the fellow should be kept in prison, and the trial be deferred, till he could conveniently summon more judges to be present.

His majesty was no sooner persuaded to be content that this prosecution might be suspended, but the close agents for the parliament's service, who were not yet discovered, but appeared very entire to the king, so dexterously carried themselves, that they prevailed with those gentlemen of the country, whose zeal to his majesty was most eminent and unquestionable, and even with the judge himself, "to wish, that his majesty would freely and gra- "ciously discharge the doctor of his imprisonment; "or give the judge leave to do so upon a habeas "corpus;" (which he was advised to require:) "and that it would be such an act of mercy and "singular justice, that would not only work upon "the people of that county to his majesty's advan- "tage, but must have a great influence upon the "whole kingdom, and even upon the parliament

[u] votes] vote

[x] satisfaction;] greater satisfaction;

"itself." And with this strange desire the good judge, and those principal gentlemen, confidently came to the king, the night before he intended to return northward. His majesty told them, "he "would think of it till the next morning." And, in the mean time, concluding by what he heard, that though he should refuse to discharge him, or to consent that he should be discharged, his restraint would not be long in that place after his departure, the people already resorting to him with great licence, and the doctor, according to his nature, talking seditiously and loudly, he directed "a messen- "ger of the chamber very early, with such assist- "ance as the sheriff should give him, to carry him "away to Nottingham; and, by the help of that "sheriff, to the gaol at York:" which was executed accordingly with expedition and secrecy; if either of which had been absent, it is certain the common people had rescued him; which, of how trivial a moment soever it shall be thought, I could not but mention as an instance of the spirit and temper of that time, and the great disadvantage the king was upon, that so many very good men thought fit, at a time, when very many hundreds of persons of honour and quality were imprisoned with all strictness and severity by the parliament, upon the bare suspicion that they meant to go to the king, or that they wished well to him, or for not submitting to some illegal order or command of theirs, that the king should discharge an infamous person, taken in an act of high treason, and who more frankly and avowedly professed sedition, than he did the science of which he pretended to be doctor.

The king, according to his appointment, returned

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towards Hull, in expectation of an answer from the parliament; which came two days after the appointed day, but with no solemnity of messengers, or other ceremony, than inclosed to one of the secretaries to be presented to the king, in which they told him,

The parliament's replication, July 26, 1642.

"That they could not, for the present, with the "discharge of the trust reposed in them for the "safety of the king and kingdom, yield to those "demands of his majesty. The reason why they "took into their custody the town of Hull, the ma-"gazine, and navy; passed the ordinance of the "militia; and made preparation of arms; was for "security of religion, the safety of his majesty's "person, of the kingdom, and parliament; all which "they did see in evident and imminent danger; "from which when they should be secured, and "that the forces of the kingdom should not be used "to the destruction thereof, they should then be "ready to withdraw the garrison out of Hull, to "deliver the magazine and navy, and settle the mi-"litia, by bill, in such a way as should be honour-"able and safe for his majesty, most agreeable to "the duty of parliament, and effectual for the good "of the kingdom; as they had professed in their "late petition. And for adjourning the parliament, "they apprehended no reason for his majesty to re-"quire it, nor security for themselves to consent to "it. And as for that reason which his majesty "was pleased to express, they doubted not but the "usual place would be as safe for his royal person, "as any other; considering the full assurance they "had of the loyalty and fidelity of the city of Lon-"don to his majesty; and the care which his par-

"liament would ever have to prevent any danger, "which his majesty might justly apprehend; be- "sides the manifold conveniences to be had there, "beyond any [y] other parts of the kingdom. And "as for the laying down of arms; when the causes "which moved them to provide for the defence of "his majesty, the kingdom, and parliament, should "be taken away, they should very willingly and "cheerfully forbear any further preparations, and "lay down their force already raised."

Which replication, as they called it, to his majesty's answer, they ordered "to be printed, and "read in all churches and chapels within the king- "dom of England, and dominion of Wales."

And so the war was now denounced by their express words against his majesty, as it had been long before in their actions; and both parties seemed to give over all thoughts of further treaties and overtures; and each prepared to make themselves [z] considerable by the strength and power of such forces as they could draw together.

In London they intended nothing but the forming of their army, and such other things of power, as were [a] in order thereunto. To that purpose, the bill for the payment of tonnage and poundage being expired on the first day of July, and they having sent another of the same nature to the king for his consent, for six months longer, his majesty, since he saw that, and all other money properly belonging to him, violently taken from him, and employed by them against him, refused to give his royal assent thereunto: whereupon, without the least hesi-

[y] any] *Not in MS.* [z] themselves] himself [a] were] was

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tation, (albeit it had been enacted this very parliament, "that whosoever should presume to pay or "receive that duty, after the expiration of the act, "before the same was regranted to[b] his majesty "with the consent of the lords and commons, should "be in a præmunire;" which is the heaviest punishment inflicted by law, but the loss of life,) they appointed and ordered by the power of the two houses, (which they called an ordinance of parliament,) "that the same duty should be continued; "and declared, that they would save all persons "concerned from any penalty or punishment whatsoever:" by which, they now became possessed of the customs in their own right.

Towards such as any ways (though under the obligation of oaths or offices) opposed or discountenanced what they went about, they proceeded with the most extravagant severity that had been ever heard of; of which I shall only mention two instances; the first, of the lord mayor of London, sir Richard Gurney, a citizen of great wealth, reputation, and integrity; whom the lords had, upon the complaint of the house of commons, before their sending the last petition to the king, (of which his majesty gave them a touch in his answer,) committed to the tower of London; for causing the king's proclamation against the militia, by virtue of his majesty's writ to him directed, and according to the known duty of his place, to be publicly proclaimed. And shortly after, that they might have a man more compliant with their designs to govern the city, notwithstanding that he insisted upon his

[b] to] by

innocence, and made it appear that he was obliged by the laws of the land, the customs of the city, and the constitution of his office and his oath, to do whatsoever he had done; he was by their lordships, in the presence of the commons, adjudged "to be "put out of his office of lord mayor of London; to "be utterly incapable of bearing office in city or "kingdom, and of[c] all honour or dignity; and to "be imprisoned during the pleasure of the two "houses of parliament." And, upon this sentence, alderman Pennington, so often before mentioned, was, by the noise and clamour of the common people, against the customs and rules of election, made mayor, and accordingly installed; and the true, old, worthy mayor committed to the tower of London; where, with notable courage and constancy, he continued almost to his death.[d] 1642.

The other instance I think fit to mention is that of judge Mallet; who, as is before remembered, was committed to the tower the last Lent, for having seen a petition prepared by the grand jury of Kent, for the countenance of the Book of Common Prayer, and against the imposition of the militia by ordinance without the royal assent. This judge (being, this summer circuit, again judge of assize for those counties) sitting at Maidstone upon the great assize, some members of the house of commons, under the style and title of a committee of parliament, came to the bench; and, producing some votes, and orders, and declarations of one or both houses, "re-

[c] and of] incapable of

[d] where, with notable courage and constancy, he continued almost to his death.] where he hath with notable courage and constancy continued to this present.

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"quired him, in the name of the parliament, to "cause those papers" (being on the behalf of the ordinance of the militia, and against the commission of array) "to be read." He told them, "that he "sat there by virtue of his majesty's commissions; "and that he was authorized to do any thing com- "prised in those commissions; but he had no au- "thority to do any thing else; and therefore, there "being no mention, in either of his commissions, of "those papers, or the publishing any thing of that "nature, he could not, nor would not[e] do it;" and so (finding less respect and submission than they expected, both to their persons and their business, from the learned judge, and that the whole county, at least the prime gentlemen and the grand jury, which represented[f] the county, contemned both much more) this committee returned to the house with great exclamations against Mr. Justice Mallet, "as the fomenter and protector of a malignant fac- "tion against the parliament." And, upon this charge, a troop of horse was sent to attend an officer; who came with a warrant from the houses, or some committee, (whereas justice Mallet, being an assistant of the house of peers, could not regularly be summoned by any other authority,) to Kingston in Surrey, where the judge was keeping the general assizes for that county; and, to the unspeakable dishonour of the public justice of the kingdom, and the scandal of all ministers or lovers of justice, in that violent manner took the judge from the bench, and carried him prisoner to Westminster; from whence, by the two houses, he was

[e] not] *Erased in MS.* [f] represented] presented

committed to the tower of London; where he remained for the space of above two years, without ever being charged with any particular crime, till he was redeemed by his majesty by the exchange of another, whose liberty they desired. BOOK V. 1642.

By these heightened acts of power and terror, they quickly demonstrated how unsecure it would be for any man, at least not to concur with them. And, having a general, arms, money, and men enough at their devotion, they easily formed an army, publicly disposing such troops and regiments, as had been raised for Ireland, and, at one time, one hundred thousand pounds of that money, which, by act of parliament, had been paid for that purpose, towards the constituting that army, which was to be led against their lawful sovereign. So that it was very evident, they would be in such an equipage within few weeks, both with a train of artillery, horse, and foot, all taken, armed, furnished, and supplied out of his majesty's own magazines and stores, that they had not reason to fear any opposition. In the mean time, they declared, and published to the people, "that they raised that army "only for the defence of the parliament, the king's "person, and the religion, liberty, and laws of the "kingdom, and of those, who, for their sakes, and "for those ends, had obeyed their orders: that the "king, by the instigation of evil counsellors, had "raised a great army of papists; by which he in-"tended to awe and destroy the parliament; to in-"troduce popery and tyranny: of which intention, "they said, his requiring Hull; his sending out "commissions of array; bespeaking[g] arms and am-

[g] bespeaking] his bespeaking

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"munition beyond the seas; (there having been "some brought to him by the ship called the Provi- "dence;) his declaring sir John Hotham traitor; "and the putting out the earl of Northumberland "from being lord high admiral of England; his re- "moving the earl of Pembroke, Essex, Holland, the "lord Fielding, and sir Henry Vane, from their se- "veral places and employments; were sufficient and "ample evidences: and therefore they conjured all "men to assist their general, the earl of Essex." And, for their better and more secret transaction of all such counsels, as were necessary to be entered upon, or followed, they made[h] a committee, of some choice members of either house, to intend the great business of the kingdom with reference to the army; who had authority, without so much as communicating the matter to the house, to imprison persons, seize upon their[i] estates; and many other particulars, which the two houses, in full parliament, had not the least regular, legal, justifiable authority to do. And for the better encouragement of men to engage in the service, the lord Kimbolton, and the five members of the house of commons, formerly accused by his majesty of high treason, upon solemn debate, had several regiments conferred on them; and, by their example, many other members of both houses, some upon their lowness, and decayedness of their fortunes, others to get name and reputation to be in the number of reformers, (amongst whom they doubted not all places of honour, or offices of profit, would be bestowed,) most upon the confidence, that all would be ended without a blow, by the king's want of power to gather strength, de-

[h] made] chose [i] their] *Not in MS.*

sired and obtained command of horse or foot; their quality making amends for their want of experience, and their other defects; which were repaired by many good officers, both English and Scots; the late troubles having brought many of that tribe to London, and the reputation of the earl of Essex having drawn others, out of the Low Countries, to engage in that service. In the choice of which officers,[k] whilst they accused the king of a purpose to bring a[l] foreign force, and of entertaining papists, they neither considered nation nor[m] religion; but entertained all strangers and foreigners, of what religion soever, who desired to run their fortune in the[n] war.

On the other side, preparations were not made with equal expedition and success by the king, towards a war: for, though he well understood and discerned that he had nothing else to trust to, he was to encounter strange difficulties to do that. He was so far from having money to levy or pay soldiers, that he was, at this very time, compelled, for very real want, to let fall all the tables kept by his officers of state in court, by which so many of all qualities subsisted; and the prince, and duke of York, eat with his majesty; which table only was kept. And whoever knows the constitution of a court, well knows what indispositions naturally flow from those declensions; and how ill those tempers bear any diminution of their own interests; and, being once indisposed themselves, how easily they infect others. And that which made the present

[k] which officers,] whom,
[l] bring a] bring in
[m] nor] or
[n] the] *Not in MS.*

BOOK V. 1642. want of money the more intolerable, there was no visible hope from whence supply could come, in any reasonable time: and that which was a greater want than money, which men rather feared than found, there were no arms; for, notwithstanding the fame of the great store of ammunition brought in by that ship, it consisted only in truth of cannon, powder, and bullet, with eight hundred muskets, which was all the king's magazine. So that the hastening of levies, which at that time was believed would not prove difficult, would be to little purpose, when they should continue unarmed. But that which troubled the king more than all these real incapacities of making war, was the temper and constitution of his own party; which was compounded, for the most part, in court, council, and country, of men drawn to him by the impulsion of conscience, and abhorring the unjust and irregular proceedings of the parliament; otherwise unexperienced in action, and unacquainted with the mysteries and necessary policy of government; severe observers of the law, and as scrupulous in all matters relating to it,[o] as the other pretended to be: all his majesty's ancient counsellors and servants, (except some few of lasting honour, whom we shall have occasion often to mention,) that they might redeem[p] former oversights, or for other unworthy designs, being[q] either publicly against him in London, or privately discrediting his interest and actions in his own court. These men still urged "the execution of the law; that what extravagances "soever the parliament practised, the king's observa-

[o] relating to it,] of relation,
[p] that they might redeem] being to redeem
[q] being] *Not in MS.*

"tion of the law would, in the end, suppress them "all:" and, indeed, believed the raising a war to be so wicked a thing, that they thought it impossible the parliament should intend it, even when they knew what they were doing. However they[r] concluded, "that he, that was forwardest in the prepar- "ing an army, would be first odious to the people; "by the affections of whom, the other would be "easily suppressed."

This was the general received doctrine; and though it appeared plainly to others, (of equal affection to the public peace,) how fatal those conclusions, in that sense in which they were urged, must prove to the whole kingdom; and how soon the king must be irrecoverably lost, if he proceeded not more vigorously in his defence; yet even those men durst not, in any formed and public debate, declare themselves; or speak that plain English the state of affairs required; but satisfied themselves with speaking, what they thought necessary, to the king in private; by which means[s] the king wanted those firm and solid foundations of counsel and foresight, that[t] were most necessary for his condition: so that he could neither impart the true motives and grounds of any important action, nor discover the utmost of his designs. And so he still seemed[u] (notwithstanding the greatest and avowed preparations of the enemy) to intend nothing of hostility, but in order to the reducing of Hull; the benefit of which, he hoped, would engage the trained bands of that great county, (which was the sole strength he yet drew

[r] they] *Not in MS.*

[s] by which means] so that by this means

[t] that] as

[u] seemed] pretended

BOOK V. 1642.

thither,) till he could bring other forces thither, which might be fit for that, or any other design.

But there was another reason of his majesty's going to and staying at Beverley, than was understood; and, it may be, if it had been known, might have produced a better effect; which I think necessary to insert in this place. The lord Digby, whom we have mentioned before, in the first disorder, by which the king and queen were driven from London, to have left England, and to be after unreasonably accused by the house of commons of high treason, had remained from that time in Holland; and, hearing the king's condition at York to be so much improved beyond what he left it at Windsor, had, with some commands from the queen, arrived there very privately, and staid some days in a disguise at York, revealing himself to very few friends, and speaking with the king in so secret a manner in the night, that no notice was taken of his being there; and, finding the king's affairs not in so good a posture as he expected, and conceiving it yet not fit for him to appear, resolved to return again to the queen, and to hasten that provision of arms and ammunition, without which it was not possible for the king to resist any violence that threatened him; and so, in the same bark which brought him over, he went again to sea for Holland, with Wilmot, Ashburnham, Pollard, and Berkley; who purposely removed themselves from court, upon the clamour of the parliament, till the king was ready to use their service. They were not many hours at sea, when they met the Providence, (which we mentioned before,) with the ammunition, which was only wanted; and, well knowing her, they agreed, "that

"Wilmot, Pollard, Berkley, should return with the "ammunition to the king; and Digby and col. "Ashburnham should pursue their former intentions for Holland." But their parleys continued so long, that the parliament ships, who had watched and chased the Providence, came up to them, and though the ship escaped, and run on shore, as was before mentioned, yet the fly-boat, in which the lord Digby was, could not so well get away; but was taken by them, and carried in with so much the more triumph[x] into Hull, that they had been disappointed of their greater prize. Col. Ashburnham, though he was in great umbrage with the parliament, and one of those delinquents, whom they reproached the king with, was so well known to sir John Hotham, with whom he stood in a good degree of familiarity, that he could not dissemble or conceal himself; but the lord Digby, being in so real a disguise, that his nearest friends would not easily have known him, pretended to be a Frenchman, whose language he spoke excellently; and seemed to be so sea-sick, that he kept himself in the hole of the bark, till they came to Hull; and, in that time, disposed of such papers as were not fit to be perused; and when he came on shore, so well counterfeited sickness, and want of health, that he easily procured himself to be sent, under a guard, to some obscure corner for repose; whilst col. Ashburnham, who was the only prisoner they thought worth the looking after, was carefully carried to the governor; who received him with as much civility as he could reasonably expect.

[x] triumph] choler and triumph

BOOK V.

1642.

The lord Digby's transactions with sir John Hotham in Hull.

The lord Digby, being by himself, quickly considered the desperateness of his condition: "that it "would not be possible to conceal himself long, being "so well known to many who were in the Provi- "dence, and the garrison quickly knowing what- "soever was spoken of in the country: that he was, "how unjustly or unreasonably soever, the most "odious man of the kingdom to the parliament; "into whose hands if he should then come, his life "would be, at least, in apparent hazard." And how to get himself out of that labyrinth was very difficult, since sir John Hotham was so far from any inclination of kindness towards him, as he had owned[y] to col. Ashburnham, that he was in the number of his most notorious enemies. However, in this eminent extremity, (as he is a man of the greatest presence[z] of mind, and the least appalled[a] upon danger, that I have known,) he resolved not to give himself over; and found means to make one of his guard, in broken English, which might well have become any Frenchman, understand, "that he desired to speak pri- "vately with the governor; and that he would dis- "cover some secrets of the king's and queen's to him, "that would highly advance the service of the par- "liament." The fellow made haste to let the governor know these good tidings; who understanding French well, as speedily sent for the Frenchman; who was brought before him in the presence of much company, and, without any disorder, gave such an account of himself, as they understood him to have seen much of the French service, (of which

[y] owned] *Omitted in MS.*
[z] presence] presentness
[a] appalled] unappalled

he spoke very fluently,) and to have come over recommended to the king for some command, if he should have occasion to use soldiers; as, he said, people abroad conceived him likely to have. After he had entertained the company with such discourse, there being present some gentlemen, who came lately out of France, and so being the more curious to administer questions, he applied himself to the governor; and told him, "that if he might be "admitted to privacy with him, he would discover "somewhat to him, which he would not repent to "have known." The governor, who was a man apt enough to fear his own safety, but more apprehensive of the jealousies which would attend him, (for his eldest son, and some others, were more absolutely confided in by the parliament than himself, and were in truth but spies over him,) would not venture himself in another room; but drew him to a great window at a convenient distance from the company, and wished him "to say what he thought fit." The lord Digby, finding he could not obtain more privacy, asked him, in English, "whether he knew "him?" The other, surprised,[b] told him, "No." "Then," said he, "I shall try whether I know sir "John Hotham; and whether he be, in truth, the "same man of honour I have always taken him to "be:" and, thereupon, told him who he was; and "that he hoped he was too much a gentleman to "deliver him up a sacrifice to their rage and fury, "who, he well knew, were his implacable enemies." The other, being astonished[c], and fearing that the by-standers would discover him too, (for, being now

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[b] surprised,] appalled,

[c] astonished,] surprised and astonished,

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told who he was, he wondered he found it not out himself,) he desired him "to say no more for the "present; that he should not be sorry for the trust "he reposed in him, and should find him the same "man he had thought him: that he would find "some time, as soon as conveniently he might, to "have more conference with him. In the mean "time, that he should content himself with the ill "accommodation he had, the amendment whereof "would beget suspicion: and so he called the guard "instantly to carry him away, and to have a very "strict eye upon him;" and, turning to the company, and being conscious to himself of the trouble and disorder in his countenance, told them, "that "the Frenchman was a shrewd fellow, and under-"stood more of the queen's counsels and designs, "than a man would suspect: that he had told him "that which the parliament would be glad to know; "to whom presently he would make a despatch, "though he had not yet so clear informations, as, "he presumed, he should have after two or three "days;" and so departed to his chamber.[d]

It was a wonderful influence, that this noble person's stars (which used to lead him into and out of the greatest perplexities and dangers, throughout the whole course of his life) had upon this whole affair. Hotham was, by his nature and education, a rough and a rude man; of great covetousness, of great pride, and great ambition; without any bowels of good nature, or the least sense or touch of generosity; his parts were not quick and sharp, but com-

[d] to his chamber.] *The continuation of lord Digby's interviews with sir J. Hotham, according to 'MS. C. is inserted in the Appendix, D.*

posed, and he judged well; he was a man of craft, and more like to deceive, than to be cozened: yet, after all this, this young nobleman, known and abhorred by him, for his admirable faculty of dissimulation, had so far prevailed, and imposed upon his spirit, that he resolved to practise that virtue, which the other had imputed to him;[e] and not to suffer him to fall into the hands of his enemies. He sent for him, the next day, at[f] an hour when he was more vacant from attendants and observers; and, at first, told him his resolution; "that, since he had "so frankly put himself into his hands, he would "not deceive his trust;" and wished him "to con- "sider, in what way, and by what colour, he should "so set him at liberty, that he might, without any "other danger, arrive at the place where he would "be. For," he said, "he would not trust any per- "son living with the secret, and least of all his "son;" whom he mentioned with all the bitterness imaginable, "as a man of an ill nature, and furiously "addicted to the worst designs the parliament had, "or could have; and one that was more depended "upon by them than himself, and sent thither only "as a spy upon him." From hence[g] he entered upon the discourse "of the times, and mischief that "was like to befall the whole kingdom, from the[h] "difference between the king and the parliament." Then lamented his own fate, "that, being a man of "very different principles from those who drove "things to this extremity, and of entire affection "and duty to the king, he should now be looked

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[e] to him;] *MS. adds:* which he was absolutely without;

[f] at] and at

[g] From hence] And from hence

[h] the] this

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"upon as the chief ground and cause of the civil "war which was to ensue, by his not opening the "ports, when the king would have entered into the "town:" of which business, and of all the circumstances attending it, he spake at large; and avowed, "that the information sent him of the king's pur- "pose presently to hang him, was the true cause of "his having proceeded in that manner."

The lord Digby, who knew well enough how to cultivate every period of such a discourse, and how to work upon those passions which were most predominant in him, joined with him in the sense of the calamities, which were like to befall the nation; which he bewailed pathetically; and, "that it should "be in the power of a handful of ill men, corrupted "in their affections to the king, and against mo- "narchy itself, to be[1] able to involve him, and many "others of his clear intentions, in their dark coun- "sels, and to engage them to prosecute ends which "they abhorred, and which must determine in the "ruin of all the undertakers. For, he told him, "that the king, in a short time, would reduce all "his enemies: that the hearts of the people were "already, in all places, aliened from them; and that "the fleet was so much at the king's disposal, that, "as soon as they should receive his orders, they "would appear in any place he appointed: that all "the princes in Christendom were concerned in "the quarrel, and would engage in it, as soon as "they should be invited to it: and that the prince "of Orange was resolved to come over in the head "of his army, and would take Hull in three days."

[1] to be] should be

All which ought, reasonably, to have been true in the practick, though it had very little ground in the speculation. And when he had, by degrees, amused and terrified him with this discourse, he enlarged upon "the honour and glory that man would have, "who could be so blessed, as to prevent this terrible "confusion,[k] that was in view: that king and peo- "ple would join in rewarding him with honours and "preferments of all kind; and that his name would "be derived to posterity, as the preserver of his "country." He told him, "He was that man, that "could do all this; that, by delivering up Hull to "the king, he might extinguish the war; and that "immediately a peace would be established through- "out the kingdom: that the world believed, that he "had some credit both with the king and queen; "that he would employ it all in his service; and if "he would give him this rise to begin upon, he "should find, that he would be much more soli- "citous for his greatness, and a full recompense for "his merit, than he was now for his own safety." All these advertisements and reflections were the subject of more than one discourse; for sir John Hotham could not bear the variety and burden of all those thoughts together; but within two days all things were adjusted between them. Hotham said, "it would not become him, after such a refusal, to "put the town into the king's hands; nor could he "undertake (if he resolved) to effect it; the town "itself being in no degree affected to his majesty's[l] "service; and the trained bands, of which the gar- "rison wholly consisted, were under officers, upon

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[k] confusion,] mass of confusion,

[l] majesty's] *Not in MS.*

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"whom he could not depend. But," he said, "if "the king would come before the town, though but "with one regiment, and plant his cannon against it, "and make but one shot, he should think he had "discharged his trust to the parliament, as far as he "ought to do; and that he would immediately then "deliver up the town; which he made no doubt but "that he should be then able to do." And, on this errand, he was contented the lord Digby should go to the king, and be conducted out of the town beyond the limits of danger; the governor having told those officers he trusted most, that "he would send "the Frenchman to York; who, he was well assured, would return to him again." He gave him likewise [m] a note to a widow, who lived in that [n] city, at whose house he might lodge, and by whose hands he might transmit any letters [o] to him.

When he came to York, and after he had spoke with the king, it was resolved, he [p] should appear in his own likeness, and wait upon the king in public, that it might be believed, that he had transported himself from Holland in the ship that brought [q] the ammunition; which was hardly yet come to York, it being now about the time that Mr. Villiers and sir John Pennington had been sent away, and before the news came of their ill success. This was the cause of the sudden march towards [r] Hull, before there was a soldier levied to make an assault, or

[m] He gave him likewise] And he gave him

[n] that] the"

[o] letters] letter

[p] after he had spoke with the king, it was resolved, he] *Thus originally in MS.*: after he had spoke with his friend Mr. Hyde and the other two, who were always together, and the king had notice of his arrival, it was resolved, that he, &c.

[q] brought] had brought

[r] towards] to

maintain a siege; which was so much wondered at then, and so much censured afterwards. For as soon as his majesty received this assurance, which he had[s] so much reason to depend upon, by the treatment the lord Digby[t] had received, he declared "he would, "upon such a day, go to Beverley," a place within four miles of Hull; and appointed three or four regiments of the country, under the command of such gentlemen whose affection was unquestionable, to march thither, as a guard to his person; and likewise sent a little train of artillery, which might be ready for the summons. When[u] his majesty was ready with this equipage for his march, the lord Digby returned again in his old disguise[x] to Hull, to make sure that all things there might correspond with the former obligation. As soon as the king, and the whole court, (for none remained at York,) came to Beverley, (where they were all[y] accommodated, which kept them from being quickly weary,) and the trained bands were likewise come thither, the[z] general, the earl of Lindsey, first took possession of his office; a little troubled, and out of countenance, that he should appear the general without an army; and be engaged in an enterprise, which he could not imagine would succeed. His majesty ordered him[a] to send out some officers, of which there was a good store, to take a view of the town, and of such advantage ground, within distance, upon which he might raise a battery; as if he meant on a sudden to assault

Whereupon the king goes to Beverley with design upon Hull, but in vain.

[s] received this assurance, which he had] received this assurance, and, besides the confidence of the lord Digby,

[t] the lord Digby] he

[u] When] And when

[x] disguise] mode

[y] all] well

[z] the] and the

[a] ordered him] wished him

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the place; which appeared no unreasonable design, if there were a good party in the town to depend upon. And yet the general had no opinion, that his army of trained bands would frankly expose themselves to such an attack. Besides a great number of officers, and persons of quality, who were all well horsed, and had many servants as well provided, the king had his troop of guards so constituted as hath been said before; and there were few horse[c] in Hull, and those[d] without officers who understood that kind of service. So that it was no hard matter to take a very full view of the town, by riding to the very ports, and about the walls; nor, at first appearance, was there any show of hostility from the town upon their nearest approaches to it; but after they had made that visit two or three days together, they observed that the walls were better manned, and that there was every day an increase of labourers repairing the works; and then they begun to shoot, when any went within distance of the works.

All this while[e] sir John Hotham had tried some of his officers, in whose particular affection he had most confidence, how far they were like to be governed by him; and found them of a temper not to be relied upon. His son was grown jealous of some design, and was caballing with those who were most notorious for their disaffection to the government; and new[f] officers were sent down by the parliament, to assist in the defence of the town, which, they thought, might probably be attempted; and supplies of men had been taken in from the ships, and had

[c] horse] horses
[d] and those] *Not in MS.*
[e] All this while] *Not in MS.*
[f] new] some new

been sent thither from Boston, a town upon the same coast,[g] of eminent disloyalty. So that, when the lord Digby returned thither, he found a great damp upon the spirit of the governor, and a sadness of mind, that he had proceeded so far; of which his lordship[h] made all the haste he could to advertise the king; but his letters must first be sent to York before they could come to Beverley; and, when they were received, they contained still somewhat of hope, "that he should be able to[i] restore him to his former courage, and confirm his resolution:" so that the king seemed to defer any attempt, upon the hopes of the earl of Holland's message before mentioned[k], and, in the end, he was compelled to give over the design, all hope from the governor growing desperate; whether from his want of courage, or want of power to execute what he desired, remains still uncertain. When sir John Hotham[l] gave over further thoughts[m] of it, he dismissed both the lord Digby, and colonel Ashburnham, whom he had likewise detained till then, as a man of use in the execution of the design, with many professions of duty to the king; and as the concealing those two persons, and afterwards releasing them, immediately increased the jealousy of the parliament against him, so it was the principal cause, afterwards, of the loss of his head.

The king dismissed the trained bands, and[n] re-

[g] a town, upon the same coast,] a neighbour town,

[h] his lordship] he

[i] should be able to] might

[k] before mentioned] *Not in MS.*

[l] sir John Hotham] he

[m] thoughts] thought

[n] The king dismissed the trained bands, and] The king, after three weeks' or a month's stay at Beverley, dismissed the trained bands, weary of their service, and, &c.

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turned with his court to York, in so much less credit than when he came from thence, as the entering into a war without power, or preparation to prosecute it, was like to produce. The [o] inconvenience was the greater, because the principal persons of quality, of court or country, and the officers, had the less reverence for the king's conduct, by seeing such an action entered upon with so little reason, and prosecuted so perfunctorily: all which reproaches his majesty thought fitter to bear, than to discover the motives of his journey; which were then known to few, nor, to this day, have been published.

When the king returned to York, exceedingly troubled at the late march he had made, and all men expressing great impatience to be in action, very many persons of honour and quality, having attended long at court, believing [p] they might be more useful to his majesty's service in their own countries, in restraining the disaffected from any seditious attempts, and disposing the people in general to be constant in their loyalty, an accident fell out, that made it absolutely necessary for the king to declare the war, and to enter upon it, before he was in any degree ripe for action; which was, that Portsmouth had declared for the king, and refused to submit to the parliament, which had thereupon sent an army, under the command of sir William Waller, to reduce it. The relating how this came to pass, requires a large discourse, and [q] will administer much variety, not without somewhat of pleasure and wonder, from the temper and spirit of the person who

Colonel Goring, at Portsmouth, declares for the king.

[o] The] And the
[p] believing] did believe
[q] and] which

conducted that action; if it can be said to be conducted without any conduct.[r]

[r] any conduct.] *This account, together with the character of colonel Goring, is thus continued in MS. B.* It is remembered before, (or if it be not, it is too much in the memory of too many to be forgotten,) that colonel Goring, who had been bred in the court, and owed all he had, and all he had to hope, to the immediate bounty of the crown, was governor of Portsmouth, and a principal officer in the army, when that conspiracy (as they called it) was entered into by some of the chief officers, as Wilmot, Ashburnham, and the rest, against the parliament: all which was discovered by Goring, who thereby made himself a favourite to the governing party in both houses, and was so rivetted in their good opinion and confidence, that they would give no countenance to any informations they received, from persons in whom they had confidence, of any thing to his prejudice; but thought the sourness and morosity of their natures disposed them to severity upon the gayety of his humour, and some liberties and excesses he used to indulge to himself: and he no sooner appeared upon any accusation, but he renewed all their assurance of his integrity; for he appeared with a bashfulness so like innocence, when in truth it was a formed impudence to deceive; and with a disorder so like reverence, when he had the highest contempt of them, and he[a] believed all he said, and dismissed him with all he asked for, and had entire an opinion of his resignation of himself to them, and his resolution of running their fortune, that, in the modelling their army under the earl of Essex, they made him lieutenant-general of their horse, with an esteem in their hearts of him superior to any person but of the general himself. He was in truth a man very powerful to get esteem, having a person very winning and graceful in all his motions; and by a hurt in his leg, which he had nobly and eminently obtained in an assault of a town in Holland, and which produced a lameness not to be concealed, he appeared the more comely and prevailing. He had a civility which shed itself over all his countenance, and gathered all the eyes and applications in view; his courage was notorious and confessed; his wit equal to the best, and in the most universal conceptions; and his language and expression natural, sharp, and flowing, adorned with a wonderful seeming modesty, and with such a constant and perpetual sprightfulness and pleasantness of humour, that no man had reason to be ashamed of being disposed to love him, or indeed of being deceived by him. He had such a dexterity in his addresses, and in reconciling the greatest pre-

[a] and he] *So in MS.*

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We have remembered before, in the last year, the discourse of the bringing up the army to London, to awe the parliament, and the unspeakable dishonour and damage the king sustained by that discourse, how groundless soever it was; all which was imputed to colonel Goring, who, by that means, grew into great reputation with the parliament, as a man so irrecoverably lost at court, that he would join with them in the most desperate designs; yet he carried himself with so great dexterity, that, within few months, he wrought upon the king and queen to believe, that he so much repented that fault, that he would re-

judice and aversion, that he prevailed with the queen, within less than forty-eight hours after he was known to have betrayed her, and ruined those who were most trusted by her, and who were fled the kingdom for the safety of their lives, to repose a great trust in him again, and to believe that he would serve the king with great integrity. He promised then to keep Portsmouth in the king's devotion; and that he might the better do it, by changing or reforming the garrison, and repairing the works, he received a good sum of money from the queen. After the accusation of the six members of parliament, which raised them so high, and cast the king so low, he came to the house, to wipe off some aspersions which had been charged upon him; and to make his dependence to appear to be absolutely and solely upon their favour, he declared how odious he had made himself to the court, which, he said, sought nothing but his ruin, and, he knew, had a design to corrupt his garrison, and to get the town out of his hands; which that he might the better prevent, he desired he might inform them of the weakness of it; and in a very short time prevailed with them to deliver him four thousand pound, that he might be sure to retain that place in their obedience: and before he returned thither, (from whence he was not absent above a week,) he persuaded the queen, in her greatest extremity, and want of money, to furnish him with five thousand pounds, that he might prepare a good proportion of ammunition and victual, and have men listed in private, and ready to come into the town, when he should find it time to declare: and with those two supplies, so artfully drawn from very contrary affections, and to very contrary ends, and which were abundantly enough to have put the place into a very good condition, he returned well pleased to his garrison.

deem it by any service; and to trust him to that degree, that the queen once resolved, when the tumults drove their majesties first from London, for her security, to put herself into Portsmouth, which was under his government; whilst his majesty betook himself to the northern parts; which design was no sooner over, (if not before,) than he again intimated so much of it to the lord Kimbolton,[s] and that party, that they took all the trust he had from court, to proceed from the confidence their majesties had of his father's interest in him; whose affection and zeal to their service was ever most indubitable: but assured themselves he was their own, even against his own father. So that he carried the matter so, that, at the same time, he received 3000*l.* from the queen, (which she raised by the sale of her plate and some jewels,) to fortify, and victual, and reinforce his garrison, against the time it should be necessary to declare for the king; and a good supply from the parliament, for the payment of the garrison, that it might be kept the better devoted to them, and to their service. All which he performed with that admirable dissimulation, and rare confidence, that, when the house of commons was informed by a member, whose zeal and affection to them was as much valued as any man's, "that all his correspondence in "the county was[t] with the most malignant persons; "that of those, many frequently resorted to, and con- "tinued with him in the garrison; that he was for- "tifying, and raising of[u] batteries towards the land; "and that in his discourse,[x] especially in the seasons

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[s] lord Kimbolton,] lord Mandeville,

[t] was] were

[u] of] *Not in MS.*

[x] discourse,] discourses,

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" of his good fellowship, he used to utter threats " against the parliament, and sharp censures of their " proceedings;" and upon such informations (the author whereof was well known to them, and of great reputation; and lived so near Portsmouth, that he could not be mistaken in the matter of fact) the house sent for him, most thinking he would refuse to come; colonel Goring came, upon the summons, with that undauntedness, that all clouds of distrust immediately vanished, insomuch as no man presumed to whisper the least jealousy of him; which he observing, came[y] to the house of commons, of which he was a member; and, having sat a day or two patiently, as if he expected some charge, in the end he stood up, with a countenance full of modesty, and yet not without a mixture of anger, (as he could help himself with all the insinuations of doubt, or fear, or shame, or simplicity in his face, that might gain belief, to a greater degree than I ever saw any man; and could seem the most confounded when he was best prepared, and the most out of countenance when he was best resolved, and to want words, and the habit of speaking, when they flowed from no man with greater power,) and told them, " that he had been sent " for by them, upon some information given against " him, and that, though he believed, the charge being " so ridiculous, they might have received, by their " own particular inquiry, satisfaction; yet the dis- " courses that had been used, and his being sent for " in that manner, had begot[z] some prejudice to him " in his reputation; which if he could not preserve, " he should be less able to do them service; and there-

[y] came] he came [z] begot] begat

" fore desired, that he might have leave (though
" very unskilful, and unfit to speak, in so wise and
" judicious an assembly) to present to them the state
" and condition of that place under his command;
" and then he doubted not but to give them full sa-
" tisfaction in those particulars, which possibly had
" made some impression in them to his disadvantage:
" that he was far from taking it ill from those, who
" had given any information against him; for, what
" he had done, and must do, might give some um-
" brage to well affected persons, who knew not the
" grounds and reasons, that induced him so to do;
" but that if any such person would, at any time, re-
" sort to him, he would clearly inform them of what-
" ever motives he had; and would be glad of their
" advice and assistance for the better doing thereof."
Then he took notice of every particular that had been publicly said against him, or privately whispered, and gave such plausible answers to the whole, intermingling sharp taunts, and scorns, to what had been said of him, with pretty application of himself, and flattery to the men that spake it: concluding,
" that they well knew in what esteem he stood with
" others: so that if, by his ill carriage, he should for-
" feit the good opinion of that house, upon which he
" only depended, and to whose service he entirely
" devoted himself, he were madder than his friends
" took him to be, and must be as unpitied in any
" misery, that could befall him, as his enemies would
" be glad to see him." With which, as innocently and unaffectedly uttered, as can be imagined,[a] he

[a] as can be imagined,] *Originally in MS.* as I have ever known any thing,

BOOK V. got so general an applause from the whole house, that, not without some little apology for troubling 1642. him, "they desired him again to repair to his go-"vernment, and to finish those works, which were "necessary for the safety of the place;" and gratified him with consenting to all the propositions he made in behalf of his garrison, and paid him a good sum of money for their arrears; with which, and being privately assured (which was indeed resolved on) that he should be lieutenant-general of their horse in their new army, when it should be formed, he departed again to Portsmouth; in the mean time assuring his majesty, by those who were trusted between them, "that he would be speedily in a posture "to make any such declaration for his service, as "he should be required;" which he was forced to do sooner than he was provided for it [b], though not sooner than he had reason to expect. [c]

When the levies for the parliament army were in good forwardness, and that [d] lord had received his commission for lieutenant-general of the horse, he wrote to the lord Kimbolton, [e] who was his most bosom friend, and a man very powerful, desiring, [f] "that he might not be called to give his attendance "upon the army, till it was ready to march; because "there were so many things to be done, and perfect-"ed, for the safety of that important place, that he "was desirous to be present himself at the work as "long as was possible. In the mean time, he had given "directions to his agent in London, to prepare all

[b] it] *Not in MS.*

[c] to expect.] *A very considerable portion from MS. C., not inserted in this place, will be found in the Appendix, D.*

[d] that] a

[e] lord Kimbolton,] lord Mandeville,

[f] desiring,] *Not in MS.*

" things for his equipage; so that he would be ready " to appear, at any rendezvous, upon a day's warn- " ing." Though the earl of Essex did much desire his company and assistance in the council of war, and preparing the articles, and forming the discipline for the army, he having been more lately versed in the order and rule of marches, and the provisions necessary or convenient thereunto, than any man then in their service, and of greater command than any man but the general; yet the lord Kimbolton [g] prevailed, that he might not be sent for, till things were riper for action. And, when that lord did afterwards write to him, " that it was time he should " come away," he sent such new and reasonable excuses, that they were not unsatisfied with his delay; till he had multiplied those excuses so long, that they begun to suspect; and they no sooner inclined to suspicion, but they met with abundant arguments to cherish it. His behaviour and course of life was very notorious to all the neighbours, nor was he at all reserved in his mirth, and public discourses, to conceal his opinion of the parliament, and their proceedings. So that, at last, the lord Kimbolton [h] writ plainly to him, " that he could no longer excuse his " absence from the army, where he was much " wanted; and that, if he did not come to London " by such a short day, as he named, he found his " integrity would be doubted; and that many things " were laid to his charge, of which he doubted not " his innocence; and therefore conjured him, imme- " diately, to be at Westminster; it being now to be " no longer deferred, or put off." He writ a jolly

[g] lord Kimbolton] lord Mandeville

[h] lord Kimbolton] lord Mandeville

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letter[i] to that lord, "that, the truth was, his coun-
"cil advised him, that the parliament did many
"things which were illegal; and that he might in-
"cur much danger by obeying all their orders;
"that he had received the command of that garri-
"son from the king; and that he durst not be ab-
"sent from it, without his leave:" and concluded with some good counsel to the lord.

This declaration of the governor[k] of a place, which had the reputation of being the only place of strength in England, and situated upon the sea, put them into many apprehensions; and they lost no time in endeavouring to reduce it[l]; but, upon the first understanding his resolution, sir William Waller was sent, with a good part of the army, so to block it up,[m] that neither men nor[n] provision might be able to get in; and some ships were sent from the fleet, to prevent any relief by sea: and these advertisements came to the king, as soon as he returned to York.

It gave no small reputation to his majesty's affairs, when there was so great a damp upon the spirits of men, from the misadventures at Beverley, that so notable a place as Portsmouth had declared for him, in the very beginning of the war; and that so good an officer as Goring was returned to his duty, and in the possession of the town: and the king, who was not surprised with the matter, know-

[i] to be at Westminster; it being now to be no longer deferred, or put off. He writ a jolly letter] to be at Westminster. It being now no longer to be deferred or put off, he writ a jolly letter

[k] of the governor] *Omitted in MS.*

[l] it] *Not in MS.*

[m] block it up,] block up the place,

[n] nor] or

ing well the resolution of the colonel, made[o] no doubt, but that he was very well supplied with all things, as he might well have been, to have given the rebels work for three or four months, at the least. Whereupon,[p] he forthwith published a declaration, that had been long ready, in which he recapitulated all the insolent and rebellious actions the[q] two houses had committed against him: and declared them "to be guilty; and forbid[r] all his "subjects to yield any obedience to them:" and, at the same time, published his proclamation; by which he "required all men, who could bear arms, to re-"pair to him at Nottingham, by the twenty-fifth of "August following; on which day he would set "up his royal standard there, which all good sub-"jects were obliged to attend." At[s] the same time, he sent the marquis of Hertford to raise forces in the west, or, at least, to restrain those parts (where his interest and reputation was greater than any man's) within the limits of their duty to the king, and from being corrupted or perverted by the parliament; and with him went the lord Seymour, his brother; the lord Pawlet, Hopton, Stawel, Coventry, Berkeley, Windham, and some other gentlemen, of the prime quality, and interest in the western parts; who[t] were like to give as good examples in their persons, and to be followed by as many men, as any such number of gentlemen in England could be. And from this party, enlivened by the power and reputation of the marquis, the king was in hopes, that Portsmouth would be shortly relieved,

[o] made] and made
[p] Whereupon,] However,
[q] the] which the
[r] forbid] forbad
[s] At] And at
[t] who] and who

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and made the head quarter to a good army. When [u] all this was done, he did all that was possible to be done, without money, to hasten his levies of horse and foot, and to prepare a light train of artillery, that he might appear at Nottingham, at the day when the standard was to be set up, with such a body of men, as might be, at the least, a competent guard to his person.

Many were then of opinion, "that it had been "more for his majesty's benefit and service, if the "standard had been appointed to be set up at "York; and so that the king had stayed there, "without moving further south, until he could have "marched in the head of an army, and not to de-"pend upon gathering an army up in his march. "All the northern counties were, at present, most "at his devotion; and so it would be most easy to "raise men there: Newcastle was the only port in "his obedience, and whither he had appointed his "supplies of arms and ammunition to be sent; of "which he had so present need, that all his maga-"zine, which was brought in the Providence, was "already distributed to those few gentlemen, who "had received commissions, and were most like "speedily to raise their regiments; and it would be "a very long, and might prove a very dangerous "passage to get the supplies, which were daily ex-"pected, to be brought with security from New-"castle, when the king should be advanced so many "days' journey beyond York." All which were very important considerations, and ought to have prevailed; but the king's inclinations to be nearer

[u] When] And when

London, and the expectation he had of great effects from Portsmouth, and the west, disposed him to a willingness to prefer Nottingham; but that which determined the point, was an apparent and manifest aversion in the Yorkshire gentlemen, whose affections were least suspected, that his majesty should continue, and remain at York; which, they said, the people apprehended, "would inevitably make "that country the seat of the war:" unskilfully imagining, that the war would be no where, but where the king's army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook to provide convoys for any arms and ammunition from Newcastle; to hasten the levies in their own country; and to borrow the [x] arms of some of the trained bands; which was the best expedient, that could be found out, to arm the king's troops, and had its reverse in the murmurs it produced, and in leaving the best affected men, by being disarmed, at the mercy of their enemies; who carefully kept their weapons, that they might be ready to fight against the king. This caused the resolution to be taken for Nottingham, without enough weighing the objections, which, upon the entrance into great actions, cannot be too much deliberated, though, in the execution, they were [y] best shut out. And it quickly appeared in those very men, who prevailed most in that council; for, when the time drew on, in which his majesty was to depart, and leave the country, then they remembered, "that the garrison of Hull would "be left as a thorn in their sides, where there were "well formed and active troops, which might march

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[x] the] of the [y] were] shall be

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"over the country without control, and come into "York itself without resistance; that there were "many disaffected persons of quality and interest in "the country, who, as soon as the king should be "gone, would appear amongst their neighbours, and "find a concurrence from them in their worst de- "signs; and that there were some places, some "whole corporations, so notoriously disaffected, "especially in matters relating to the church, that "they wanted only conductors to carry them into "rebellion."

These, and the like reflections, made too late impressions upon them; and now, too much, they magnified this man's power, whom before they contemned; and doubted that man's affection, of which they were before secure; and made a thousand propositions to the king this day, whereof they rejected the greatest part to-morrow; and, as the day approached nearer for the king's departure, their apprehensions and irresolutions increased. In the end, they were united in two requests to the king; that "he would commit the supreme command of the "country, with reference to all military affairs, to "the earl of Cumberland; and qualify him, with an "ample commission, to that purpose." The other, "that his majesty would command sir Thomas "Glemham to remain with them, to govern and "command such forces, as the earl of Cumberland "should find necessary for their defence." And this provision being made by the king, they obliged themselves to concur in making any preparations, and forming any forces the earl should require. His[z] majesty, as willingly, gratified them in both

[z] His] And his

their desires. The earl of Cumberland was a man of great honour and integrity, who had all his estate in that country, and had lived most amongst them, with very much acceptation and affection from the gentlemen, and the common people: but he was not, in any degree, active, or of a martial temper; and rather a man more like not to have any enemies, than to oblige any to be firmly and resolutely his friends, or to pursue his interest: the great fortune of the family was divided, and the greater part of it carried away by an heir female; and his father had so wasted the remainder, that the earl could not live with that lustre, nor draw so great a dependence upon him, as his ancestors had done. In a word, he was a man of honour, and popular enough in peace, but not endued with those parts which were necessary for such a season. Sir Thomas Glemham was a gentleman of a noble extraction, and a fair fortune, though he had much impaired it; he had spent many years, in armies, beyond the seas; and he had been an officer of very good esteem in the king's armies, and of courage and integrity unquestionable; but he was not of so stirring and active a nature, as to be able to infuse fire enough into the phlegmatic constitutions of that people, who did rather wish to be spectators of the war, than parties in it; and believed, if they did not provoke the other party, they might all live quietly together; until sir John Hotham, by his excursions and depredations out of Hull, and their seditious neighbours, by their insurrections, awakened them out of that pleasant dream. And then the greatest part of the gentry of that populous country, and very many of the common people, did be-

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have themselves with signal fidelity and courage in the king's service: of all which particulars, which deserve well to be remembered, and transmitted to posterity, there will be occasion to make mention in the following discourse.

Yet I cannot leave York without the mention of one particular; which, in truth, is a lively instance[a] of the spirit and temper of that time, and was a sad presage of all the misfortunes which followed. There were very few gentlemen, or men of any quality, in that large county, who were actively or factiously disaffected to his majesty; and of those the lord Fairfax, and his son, sir Thomas Fairfax, were the chief; who were governed by two or three of inferior quality, more conversant with the people; who were as well known as they. All these were in the county, at their houses, within few miles of York; and the king resolved, at his going away, to have taken them all prisoners, and to have put them in safe custody; by which, it was very probable, those mischiefs, that shortly after broke out, might have been prevented. But the gentlemen of the county, who were met together to consult for their own security, hearing of this design, besought his majesty "not to do it;" alleging, "that "he would, thereby, leave them in a worse condi- "tion, by an act so ungracious and unpopular; and "that the disaffected would be so far from being "weakened, that their party would be increased "thereby:" many really believing, that neither father nor[b] son were transported with over-vehement inclinations to the parliament; but would willingly

[a] a lively instance] so lively an instance [b] nor] or

sit still, without being active on either side; which, no doubt, was a policy, that many of those, who wished well, desired and intended to be safe by. And so his majesty left York, taking with him only two or three of inferior rank, (whereof one Stapleton was one,) who were known to have been very active in stirring the people to sedition; and yet, upon some specious pretences, some very good men were persuaded, within few days, to procure the liberty and enlargement even of those from his majesty. So ticklish were those times, and so wary were all men to advise the king should do any thing, which, upon the strictest inquisition, might seem to swerve from the strict rule of the law; believing, unreasonably, that the softest and gentlest remedies might be most wholesomely applied to those rough and violent diseases. [c]

[c] violent diseases.] *The History is thus continued in MS. C.* The king having left York, and the day not yet come for the setting up his standard, thought not fit to stay at Nottingham, but went farther southward, to countenance the small force the earl of Northampton had drawn together at Warwick; and lodging at Stonely within four miles of Coventry, he thought it convenient to possess himself of that city, which, though encompassed with an old wall, having no garrison in it, he thought no hard matter to do; and therefore sending overnight thither, that he would dine there the next day, he went in the morning towards it. But when he came thither, he found the gates shut against him, and the wall manned with armed men; the council of the city having resolved, upon consideration of the declaration and votes of the parliament, that his entrance should be opposed: and when some of his servants and attendants (for he had only horse with him) rode nearer the gate and walls than they within thought fit, they discharged some iron cannon they had planted, and thereby killed two or three horses, and hurt very dangerously a gentleman or two of note. Whereupon the king, being in no posture to force his way, was compelled, with this new indignity, to retire to his last lodging, and the next day towards Nottingham; the earl of Northampton being at the same time forced to draw off his cannon and small force

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The king came to Nottingham two or three days before the day he had appointed to set up the

from Warwick, by reason of a party of three thousand foot, with two or three troops of horse, from the parliament, which were then marching that way, and intended to put themselves into Coventry, being commanded by colonel Ballard, (a soldier of good reputation and great trust with the earl of Essex,) who was assisted and countenanced with Mr. Hambden, his regiment being near a third part of their number. The king's horse, under the command of commissary general Wilmot, were not then above eight hundred, who were to join with those under the earl of Northampton, upon their retreat, and so to give any annoyance they found reasonable to the enemy, which was thought to be reasonably within their power; for though the number of their foot was not considerable to that of the enemy, yet the horse was more than double, and the enemy's march to be unavoidably over a fair campaign, unguarded with hedges or banks, so that their horse being beaten, the foot would easily have been dispersed. But, whether by mistake of orders and messages, or the piques between the commanders, (for those under the earl of Northampton were commanded by sir Nic. Byron, who, being the elder soldier, thought it not agreeable to receive orders from Mr. Wilmot, who yet took himself to have the undoubted command,) those parties never met; but the earl of Northampton marching another way, Mr. Wilmot thought not fit to engage those horse under his command (being all the force considerable the king had yet raised) against so unequal a party of the enemy, which, without question, was the most prudent and justifiable counsel, (all things considered:) though there wanted not some then, that imputed it to want of mettle, and looked upon it as the loss of a great advantage; and may be, by the want of courage that, in the infancy of the war, was in most of the parliament forces, if they had been then stoutly charged by those horse, they might have been routed, which, without doubt, would have exceedingly exalted the king's troops, and cast down and dejected the hearts of the parliament; the contrary whereof fell out: for those forces marching over the plain within half cannon-shot of our horse, and making some shot at them, went with incredible triumph into Coventry, where they were received with equal acclamation; and Mr. Wilmot, without any other loss, (than of capt. Legge, who was unfortunately taken prisoner by riding amongst their men, after the compassing a hill, taking them for our own,) fairly and soldierly retired to Leicester, whither prince Rupert came the same day, to take his charge as general of the horse, having, together with

standard; having taken Lincoln in his way, and drawn some arms from the trained bands of that country with him to Nottingham; from whence, the next day, he went to take a view of his horse; whereof there were several troops well armed, and under good officers, to the number of seven or eight hundred men; with which, being informed, "that "there were some regiments of foot marching to-"wards Coventry, by the earl of Essex's orders," he made haste thither; making little doubt, but that he should be able to get thither before them, and so to possess himself of that city; and he did get thither the day before they came; but found not only the gates shut against him, but some of his servants shot and wounded from the walls: nor could all his messages and summons prevail with the mayor and magistrates, before there was any garrison there, to suffer the king to enter into the city. So great an interest and reputation the parliament had gotten

his brother prince Maurice, and some gentlemen and inferior officers, transported himself in a States' man of war to Newcastle, from whence he made all haste to York; and finding his majesty departed thence, came to him at Leicester, at the same time when the horse had retreated thither; when the king left him, and came himself to Nottingham, the day he had appointed for the setting up of his standard. And albeit he found the appearance there to be much less than he expected, and many were of opinion that the setting up the standard should be respited for some few days, till his numbers increased, his majesty, wisely considering that it would beget great insolence in the rebels, and publish his weakness to all the people, would not defer it an hour, but, as soon as he came to the town, went himself, attended by all the train he could make, to the top of the castle-hill of Nottingham, (which is a place of a very eminent and pleasant prospect,) and there fixed his royal standard; when indeed all the foot which he had yet drawn together were not a sufficient guard to have constantly attended the standard.

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over the affections of that[d] people, whose hearts were alienated from any reverence to the government.

The king could not remedy the affront, but went that night to Stonely, the house then of sir Thomas Lee; where he was well received; and, the next day, his body of horse, having a clear view, upon an open campania, for five or six miles together, of the enemy's[e] small body of foot, which consisted not of above twelve hundred men, with one troop of horse, which marched with them over that plain, retired before them, without giving them one charge; which was imputed to the ill conduct[f] of Wilmot, who commanded; and had a colder courage than many who were under him, and who were of opinion, that they might have easily defeated that body of foot: which would have been a very seasonable victory; would have put Coventry unquestionably into the king's hands, and sent him with a good omen to the setting up of his standard. Whereas, that unhappy retreat, which looked like a defeat, and the rebellious behaviour of Coventry, made his majesty's return to Nottingham very melancholy; whither he returned[g] the very day the standard was appointed to be set up.

The king's standard set up at Nottingham, Aug. 25, 1642.

According to the proclamation, upon the twenty-fifth day of August, the standard was erected, about six of the clock in the evening of a very stormy and tempestuous day. The king himself, with a small train, rode to the top of the castle-hill, Varney the

[d] that] the
[e] enemy's] *Omitted in MS.*
[f] ill conduct] lashty
[g] whither he returned] and he returned thither

knight-marshal, who was standard bearer, carrying the standard, which was then erected in that place, with little other ceremony than the sound of drums and trumpets: melancholy men observed many ill presages about that time. There was not one regiment of foot yet brought thither;[h] so that the trained bands, which the sheriff had drawn together, were[i] all the strength the king had for his person, and the guard of the standard. There appeared no conflux of men in obedience to the proclamation; the arms and ammunition were not yet come from York, and a general sadness covered the whole town.[k] The standard[l] was blown down, the same night it had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed.[m]

[h] brought thither;] levied and brought thither;

[i] were] was

[k] whole town.] *MS. adds:* And the king himself appeared more melancholic than he used to be.

[l] standard] standard itself

[m] allayed.] *The History is thus continued in the MS.* And within three or four days the news arrived that Portsmouth was given up; which almost struck the king to the heart. Goring, who had received so much money from the parliament, to mend the fortifications, and so much for[a] the queen, to provide men and victual and ammunition, that he might be able to defend himself when he should be forced to declare, which he expected to be much sooner, and could not expect to be suddenly relieved, had neither mended the fortifications, or provided any thing for his defence, but had spent all the money in good-fellowship, or lost it at play; the temptation of either of which vices, he never could resist. So that when he could no longer defer giving the parliament a direct answer, he had only the lord Wentworth and Mr. Thomas Weston, who came to enjoy the delight of his company, which was very attractive, and for whom he had promised to raise troops of horse, and three or four country gentlemen, who repaired thither upon the first news of his declaring with so small a number of men, as was fitter

[a] for] *So in MS.*

BOOK V. 1642.

This [n] was the melancholy state of the king's affairs, when the standard was set up.

for their equipage and retinue than for the defence of the place, and an addition of twenty or thirty common men to his garrison, which the kindness of some friends had supplied with: and in this state sir Will. Waller found him and the place, when he came before it, and when he was deprived of all communication by land or sea. He continued in the same jollity from the time he was besieged, and suffered the enemy to approach as he pleased, without disturbing him by any brisk sally or soldierly action, which all men expected from him, who were best acquainted with his other infirmities; and after about the end of three weeks, he delivered the town, upon no other conditions than the liberty for all who had a mind to go away, and his own transportation into Holland. When he recovered, and restored himself to the king and queen's favour and trust, after his foul tergiversation, he had great thoughts in his heat of power and authority; for his ambition was always the first deity he sacrificed to; and it was proposed by him, and consented to, that when the king should find it necessary to put himself into the field, (which was thought would be fit for him to do much sooner,) the queen should retire to Portsmouth: and that was the reason why the queen was so solicitous that it might be put into a good condition; and by this means he should be sure never to be reduced into any straits without a powerful relief, and should always have it in his power to make good conditions for himself, in all events. But when the parliament's power was so much increased, and the king's abated, that the queen resolved to transport herself beyond the seas, the edge of his zeal was taken off, and he thought Portsmouth too low a sphere for him to move in; and the keeping a town (which must follow the fate of the kingdom) was not a fit portion for him; and so he cared not to lose what he did not care to keep. And it were to be wished that there might be no more occasion to mention him after this repeated treachery, and that his incomparable dexterity and sagacity had not prevailed so far over those whom he had so often deceived, as to make it absolutely necessary to speak at large of him, more than once, before this discourse comes to an end.

[n] This] And this

THE END OF THE FIFTH BOOK.

THE

HISTORY

OF THE

REBELLION, &c.

BOOK VI.

[a] Isa. xviii. 2.

Go, ye swift messengers, to a nation scattered and peeled, to a people terrible from their beginning hitherto; a nation meted out and trodden down, whose land the rivers have spoiled.

Isa. xix. 13, 14.

The princes of Zoan are become fools.
The Lord hath mingled a perverse spirit in the midst thereof.[a]

WHEN the king set up his standard at Nottingham, which was on the 25th of August, as is before remembered, he found the place much emptier than he thought the fame of his standard would have suffered it to be; and received intelligence the next day, that the rebels' army, for such now he had declared them, was horse, foot, and cannon, at North-

BOOK VI.

1642.

The king's condition at Nottingham.

[a] Isa. xviii. 2. *Go,—thereof.*] *Not in MS.*

BOOK VI. 1642.

ampton; besides that party[b] which, in the end of the fifth[c] book, we left at Coventry: whereas his few cannon and ammunition were still at York, being neither yet in an equipage to march, though sir John Heydon, his majesty's faithful lieutenant[d] of the ordnance, used all possible diligence to form and prepare it; neither were there foot enough levied to guard it: and at Nottingham, besides some few of the trained bands, which sir John Digby, the active sheriff of that county, drew into the old ruinous castle there, there were not of foot levied for the service yet three hundred men. So that they who were not overmuch given to fear, finding very many places in that great river, which was looked upon as the only strength and security of the town, to be easily fordable, and nothing towards an army for defence but the standard set up, begun[e] sadly to apprehend the danger of the king's own person. Insomuch that sir Jacob Ashley, his sergeant-major-general of his intended army, told him, "that he could not give "any assurance against his majesty's being taken "out of his bed, if the rebels should make a brisk "attempt to that purpose." And it was evident, all the strength he had to depend upon was his horse, which were under the command of prince Rupert at Leicester, and were not at that time in number above eight hundred, few better armed than with swords; whilst the enemy had, within less than twenty miles of that place, double the number of horse excellently armed and appointed, and a body of five thousand foot well trained and disciplined;

[b] party] great party
[c] fifth] fourth
[d] lieutenant] lieutenant general
[e] begun] began

so that, no doubt, if they had advanced, they might at least have dispersed those few troops of the king's, and driven his majesty to a greater distance, and exposed him to notable hazards and inconveniencies. 1642.

When men were almost confounded with this prospect, his majesty received intelligence, that Portsmouth was so straitly besieged by sea and land, that it would be reduced in very few days, except it were relieved. For the truth is, colonel Goring, though he had sufficient warning, and sufficient supplies of money to put that place into a posture, had relied too much upon probable and casual assistance, and neglected to do that himself, which[f] a vigilant officer would have done: and albeit his chief dependence was both for money and provisions from the Isle of Wight, yet he was careless to secure those small castles and block-houses, that guarded the passage;[g] which revolting to the parliament as soon as he declared for the king, cut off all those dependences;[h] so that he had neither men enough to do ordinary duty, nor provisions enough for those few, for any considerable time. And at the same time with this news[i] of Portsmouth, arrived certain advertisements, that the marquis of Hertford, and all his forces in the west, from whom only the king hoped that Portsmouth should be relieved, was driven out of Somersetshire, where his power and interest was believed unquestionable, into Dorsetshire; and there besieged in Sherborne castle.

Portsmouth besieged by the parliament's forces.

[f] which] *Not in MS.*

[g] that guarded the passage;] which guarded the river;

[h] dependences;] unreasonable dependences;

[i] news] *Not in MS.*

BOOK VI.

1642.

The marquis of Hertford's actions in Somersetshire, &c.

The marquis, after he left the king at Beverley, by ordinary journeys, and without making any long stay by the way, came to Bath, upon the very edge of Somersetshire, at the time when the general assizes were there held; where meeting all the considerable gentlemen of that great county, and finding them well affected to the king's service, except very few who were sufficiently known, he entered into consultation with them from whom he was to expect assistance, in what place he should most conveniently fix himself for the better disposing the affections of the people, and to raise a strength for the resistance of any attempt which the parliament might make, either against them, or to disturb the peace of the country by their ordinance of the militia, which was the first power they were like to hear of. Some were of opinion, "that Bristol would "be the fittest place, being a great, rich, and popu-"lous city; of which being once possessed, they "should be easily able to give the law to Somerset "and Gloucestershire; and could not receive any "affront by a sudden or tumultuary insurrection of "the people." And if this advice had been followed, it would probably have proved very prosperous. But, on the contrary, it was objected, "that it was not "evident, that his lordship's reception into the city "would be such as was expected; Mr. Hollis being "lieutenant thereof, and having exercised the mili-"tia there; and there being visibly many disaf-"fected people in it, and some of eminent quality; "and if he should attempt to go thither, and be dis-"appointed, it would break the whole design: then "that it was out of the county of Somerset, and

"therefore that they could not legally[k] draw that "people thither; besides, that it would look like "fear and suspicion of their own power, to put "themselves into a walled town, as if they feared "the power of the other party would be able to op- "press them. Whereas, except[l] Popham and Hor- "ner, all the gentlemen of eminent quality and for- "tune of Somersetshire[m] were either present with "the marquis, or presumed not to be inclined to the "parliament." And therefore they proposed "that "Wells, being a pleasant city, in the heart and near "the centre of that county, might be chosen for "his lordship's residence." Which was accordingly agreed on, and thither the marquis and his train went, sending for the nearest trained bands to appear before him; and presuming that in little time, by the industry of the gentlemen present, and his lordship's reputation, which was very great, the affections of the people would be so much wrought upon, and their understandings so well informed, that it would not be in the power of the parliament to pervert them, or to make ill impressions on[n] them towards his majesty's service.

Whilst his lordship in this gentle way endeavoured to compose the fears and apprehensions of the people, and by doing all things in a peaceable way, and according to the rules of the known laws, to convince all men of the justice and integrity of his majesty's proceedings and royal intentions; the other party, according to their usual confidence and activity, wrought underhand to persuade the people

[k] legally] *Not in MS.*
[l] except] besides
[m] Somersetshire] Somerset
[n] on] in

BOOK VI. 1642.

that the marquis was come down to put the commission of array in execution, by which commission a great part of the estate of every farmer or substantial yeoman should be taken from them; alleging, that some lords had said, "that twenty pounds by "the year was enough for every peasant to live "on;[p] and so, taking advantage of the commission's being in Latin, translated it into what English they pleased; persuading the substantial yeomen and freeholders, that at least two parts of their estates would, by that commission, be taken from them; and the meaner and poorer sort of people, that they were to pay a tax for one day's labour in the week to the king; and that all should be, upon the matter, no better than slaves to the lords, and that there was no way to free and preserve themselves from this insupportable tyranny, but[q] by adhering to the parliament, and submitting to the ordinance for the militia; which was purposely prepared to enable them to resist these horrid invasions of their liberties.

It cannot easily be[r] believed, how these gross infusions generally prevailed. For though the gentlemen of ancient families and estates in that county were, for the most part, well affected to the king, and easily discerned by what faction the parliament was governed; yet there were a people of an inferior degree, who, by good husbandry, clothing, and other thriving arts, had gotten very great fortunes; and, by degrees, getting themselves into the gentlemen's estates, were angry that they found not themselves

[p] every peasant to live on;] any peasant to live by;

[q] but] than

[r] It cannot easily be] It is not easily

in the same esteem and reputation with those whose estates they had; and therefore, with more industry than the other, studied all ways to make themselves considerable. These, from the beginning, were fast friends to the parliament; and many of them were now intrusted by them as deputy lieutenants in their new ordinance of the militia, and having found when the people were ripe, gathered them together, with a purpose on a sudden, before there should be any suspicion, to surround and surprise the marquis at Wells. For they had always this advantage of the king's party and his counsels, that their resolutions were no sooner published, than they were ready to be executed, there being an absolute implicit obedience in the inferior sort to those who were to command them; and their private agents, with admirable industry and secrecy, preparing all persons and things ready against a call. Whereas all the king's counsels were with great formality deliberated, before concluded: and then, with equal formality, and precise caution of the law, executed; there being no other way to weigh down the prejudice that was contracted against the court, but by the most barefaced publishing all conclusions, and fitting them to that apparent justice and reason, that might prevail over the most ordinary understandings.

When the marquis was thus in the midst of an enemy that almost covered the whole kingdom, his whole strength was a troop of horse, raised by Mr. John Digby, son to the earl of Bristol, and another by sir Francis Hawley, (both which were levied in those parts to attend the king in the north,) and a troop of horse, and a small troop of dragoons, raised

BOOK VI. 1642.

and armed by sir Ralph Hopton at his own charge; and about one hundred foot gathered up by lieutenant-colonel Henry Lunsford towards a regiment, which were likewise to have marched to the king. These, with the lord Pawlet, and the gentlemen of the country, which were about eight and twenty of the prime quality there, with their servants and retinue, made up the marquis's force. Then their proceedings were with that exceeding[s] caution, that upon advertisement that the active ministers of the contrary party[t] had appointed a general meeting at a town within few miles of Wells, sir Ralph Hopton being advised with his small troop and some volunteer gentlemen to repair thither, and to disappoint that convention, and to take care that it might produce the least prejudice to the king's service; before he reached the place, those gentlemen who stayed behind (and by whose advice the marquis thought it necessary absolutely to govern himself, that they might see all possible wariness was used in the entrance into a war, which being once entered into, he well knew must be carried on another way) sent him word, "that he should forbear any hostile act, "otherwise they would disclaim whatsoever he "should do." Whereas[u] the courage and resolution of those few were such, and the cowardice of the undisciplined seditious rabble and their leaders was so eminent, that it was very probable, if those few troops had been as actively employed as their commanders desired, they might have been able to have driven the bigots out of the country, before they had

[s] exceeding] rare

[t] the contrary party] that party

[u] Whereas] Otherwise

fully possessed the rest with their own rancour: which may be reasonably presumed by what followed shortly after, when Mr. Digby, sir John Stawel and his sons, with some volunteer gentlemen, being in the whole not above fourscore horse, and fourteen dragoons, charged a greater body of horse, and above six hundred foot of the rebels, led by a member of the house of commons; and without the loss of one man, killed seven in the place, hurt very many, took their chief officers, and as many more prisoners as they would; and so routed the whole body, that six men kept not together, they having all thrown down their arms. 1642.

But this good fortune abated only the courage of those who had run away, the other making use of this overthrow as an argument of the marquis's bloody purposes; and therefore, in few days, sir John Horner and Alexander Popham, being the principal men of quality of that party in that county, with the assistance of their friends of Dorset, and Devon, and the city of Bristol, drew together a body of above twelve thousand men, horse and foot, with some pieces of cannon, with which they appeared on the top of the hill over Wells; where the marquis, in contempt of them, stayed two days, having only barricadoed the town; but then, finding that the few trained bands, which attended him there, were run away, either to their own houses, or to their fellows, on the top of the hill; and hearing that more forces, or at least better officers, were coming from the parliament against him, he retired in the noon day, and in the face of that rebellious herd, from Wells to Somerton, and so to Sherborne, without any loss or trouble. Thither, within two days, He retires to Sherborne.

BOOK VI. 1642.

came to his lordship sir John Berkley, colonel Ashburnham, and some[x] other good officers, enough to have formed a considerable army, if there had been no other want. But they had not been long there, (and it was not easy to resolve whither else to go, they having no reason to believe they should be any where more welcome than in Somersetshire, from whence they had been now driven,) when the earl of Bedford, general of the horse to the parliament, with Mr. Hollis, sir Walter Earl, and other ephori, and a complete body of seven thousand foot at least, ordered by Charles Essex, their sergeant-major-general, a soldier of good experience and reputation in the Low Countries, and eight full troops of horse, under the command of captain Pretty, with four pieces of cannon, in a very splendid equipage, came to Wells, and from thence to Sherborne. The marquis, by this time having increased his foot to four hundred, with which that great army was kept from entering that town,[y] and persuaded to encamp in the field about three quarters of a mile north from the castle; where, for the present, we must leave the marquis and his great-spirited little army.[z]

The earl of Bedford comes against him.

[x] some] *Not in MS.*

[y] town,] great town,

[z] little army.] *In MS. C. the History is thus continued, and connected with page* 204, *l.* 17. When this news of Portsmouth and Sherborne came to the king at Nottingham, the next day after the setting up his standard, it will easily be believed that the spirits there were not a little dejected: and indeed they who had least fear, could not but reasonably think the king's condition very desperate; so that some of those of nearest trust and confidence about him, proposed to him, as the only expedient, to send a gracious message to the two houses, to offer a treaty for peace. His majesty received this advice very unwillingly, concluding that he should thereby improve the pride and insolence of his enemies, who would impute it to the despair of raising any force to resist them, and would demean themselves accordingly, and would to the

It could never be understood, why that army did not then march directly to Nottingham; which if it had done, his majesty's few forces must immediately have been scattered, and himself fled, or put himself into their hands, which there were enough ready to have advised him to do; and if he had escaped, he might have been pursued by one regiment of horse till he had quitted[a] the kingdom. But it pleased God, that[b] they made not the least advance towards Nottingham. They about the king[c] began now to wish that he had stayed at York, and proposed his return thither; but that was not hearkened to; and they who advised[d] his stay there, and against the advance to Nottingham, were more against his return thither, as an absolute flight; but urged[e] the advance of the levies, and a little patience, till it might be discerned what the enemy did intend to do. In this great anxiety, some of the lords desired, "that his majesty would send a message to the "parliament, with some overture to incline them to "a treaty;" which proposition was no sooner made, but most concurred in it, and no one had the confidence to oppose it. The king himself was so offended at it, that he declared, "he would never "yield to it;" and broke up the council, that it might be no longer urged. But the next day, when

The king consults at Nottingham of sending a message for peace.

same degree dishearten and discountenance those who had appeared, and upon the setting up his standard were now ready to appear in any act of loyalty on his behalf, who would be all sacrificed to the revenge and fury of the others. On the other side it was objected, that his majesty was not able to make resistance; *as in p.* 204, *l.* 17.

[a] quitted] quit

[b] But it pleased God, that] But God blinded his enemies, so that

[c] about the king] *Not in MS.*

[d] advised] had advised

[e] urged] wished

BOOK VI. 1642.

they met again, they renewed the same advice with more earnestness. The earl of Southampton, a person of great prudence, and of[f] a reputation at least equal to any man's, pressed it, "as a thing that "might do good, and could do no harm:" and the king's reasons, with reference to the insolence it would raise in the rebels, and the dishonour that would thereby reflect upon himself, were answered, by saying "their insolence would be for the king's "advantage; and when they should reject the offer "of peace, which they believed they would do, they "would make themselves the more odious to the "people, who would be thereby the more inclined to "serve the king." So that they took it as granted, that the proposition would be rejected, and therefore it ought to be made.[g] It was farther said,[h] "that his majesty was not able to make resistance; "that the forces before Sherborne, Portsmouth, and "at Northampton, were three several armies, the "least of which would drive his majesty out of his "dominions; that it was only in his power to choose, "whether, by making a fair offer himself, he would "seem to make peace, which could not but render "him very gracious to the people, or suffer himself "to be taken prisoner, (which he would not long be "able to avoid,) which would give his enemies "power, reputation, and authority to proceed against "his majesty, and, it might be, his posterity, accord-"ing to their own engaged malice."

[f] of] *Not in MS.*

[g] ought to be made.] *The continuation of this account of the king's sending a message for peace, according to MS. B. will be found in the Appendix, F.*

[h] It was farther said,] It was objected,

Yet this motive made no impression in him. "For, BOOK VI.
"he said, no misfortune, or ill success that might 1642.
"attend his endeavour of defending himself, could
"expose him to more inconveniences than a treaty
"at this time desired by him, where he must be un-
"derstood to be willing to yield to whatsoever they
"would require of him: and how modest they were
"like to be, might be judged by their nineteen pro-
"positions, which were tendered, when their power
"could not be reasonably understood to be like so
"much to exceed his majesty's, as at this time it
"was evident it did; and that, having now nothing
"to lose but his honour, he could be only excusable
"to the world, by using his industry to the last to
"oppose the torrent,[i] which if it prevailed would
"overwhelm him." This composed courage and magnanimity of his majesty seemed too philosophical, and abstracted from the policy of self-preservation, to which most others[k] were passionately addicted: and that which was the king's greatest disadvantage, how many soever were of his mind, (as some few, and but few, there were,) no man durst publicly avow that he was so; a treaty for peace being so popular a thing, that whosoever opposed it would be sure to be, by general consent, a declared enemy to his country.

That which prevailed with his majesty very reasonably then to yield[l] (and indeed it proved equally advantageous to him afterwards) was, "that it was
"most probable" (and his whole fortune was to be

[i] the torrent,] that torrent,
[k] most others] men
[l] to yield] *Not in MS.*

BOOK VI. 1642.

submitted at best to probabilities) "that, out of their "pride, and contempt of the king's weakness and "want of power, the parliament would refuse to "treat; which would be so unpopular a thing, that "as his majesty would highly oblige his people by "making the offer; so they would lose the hearts of "them by rejecting it; which alone would raise an "army for his majesty. That if they should em- "brace it, the king could not but be a gainer; for "by the propositions which they should make to "him, he would be able to state the quarrel so "clearly, that it should be more demonstrable to "the kingdom, than yet it was, that the war was, "on his majesty's part, purely defensive; since he "never had, and now would not deny any thing, "which they could in reason or justice ask: that "this very overture would necessarily produce some "pause, and delay in their preparations, or motions "of their armies; for some debate it must needs "have; and during that time, men's minds would "be in suspense; whereas his majesty should be so "far from slackening his preparations, that he might "be more vigorous in them, by hastening those le- "vies, for which his commissions were out." For these reasons, and almost the concurrent desire and importunity of his council, the king was prevailed with to send the earls of Southampton and Dorset, sir John Colepepper, chancellor of his exchequer, and sir William Udall, (whom his majesty gave leave under that pretence to intend the business of his own fortune,) to the two houses with this message, which was sent the third day after his standard was set up.

1642.

The king sends to the two houses a message for peace by the earl of Southampton, &c.

"We have,[m] with unspeakable grief of heart, long beheld the distractions of this our kingdom. Our very soul is full of anguish, until we may find some remedy to prevent the miseries which are ready to overwhelm this whole nation by a civil war. And though all our endeavours, tending to the composing of those unhappy differences betwixt us and our two houses of parliament, (though pursued by us with all zeal and sincerity,) have been hitherto without that success we hoped for; yet such is our constant and earnest care to preserve the public peace, that we shall not be discouraged from using any expedient, which, by the blessing of the God of mercy, may lay a firm foundation of peace and happiness to all our good subjects. To this end, observing that many mistakes have arisen by the messages, petitions, and answers, betwixt us and our two houses of parliament, which happily may be prevented by some other way of treaty, wherein the matters in difference may be more clearly understood, and more freely transacted; we have thought fit to propound to you, that some fit persons may be by you enabled to treat with the like number to be authorized by us, in such a manner, and with such freedom of debate, as may best tend to that happy conclusion which all good men desire, the peace of the kingdom. Wherein, as we promise, in the word of a king, all safety and encouragement to such as shall be sent unto us, if you shall choose the place where we are, for the treaty, which we wholly leave to you, presuming the like care of the safety of those we shall

[m] *This message is in the handwriting of lord Clarendon's secretary.*

BOOK VI. 1642.

"employ, if you shall name another place; so we "assure you, and all our good subjects, that, to the "best of our understanding, nothing shall be there- "in wanting on our part, which may advance the "true protestant religion, oppose popery and super- "stition, secure the law of the land, (upon which "is built as well our just prerogative, as the pro- "priety and liberty of the subject,) confirm all just "power and privileges of parliament, and render us "and our people truly happy by a good understand- "ing betwixt us and our two houses of parliament. "Bring with you as firm resolutions to do your "duty; and let all our good people join with us in "our prayers to Almighty God, for his blessing upon "this work. If this proposition shall be rejected by "you, we have done our duty so amply, that God "will absolve us from the guilt of any of that blood "which must be spilt; and what opinion soever "other men may have of our power, we assure you "nothing but our Christian and pious care to pre- "vent the effusion of blood hath begot this motion; "our provision of men, arms, and money, being such "as may secure us from farther violence, till it "pleases God[n] to open the eyes of our people."

How it was received by them.

This message had the same reception his majesty believed it would have; and was indeed received with unheard of insolence and contempt. For the earl of Southampton, and sir John Colepepper, desiring to appear themselves before any notice should arrive of their coming, made such haste, that they were at Westminster in the morning shortly after the houses met. The earl of Southampton went

[n] pleases God] please God.

into the house of peers, where he was scarce sat down in his place, when, with great passion, he was called upon to withdraw; albeit he told them he had a message to them from the king, and there could be no exception to his lordship's sitting in the house upon their own grounds; he having had leave from the house to attend his majesty. However he was compelled to withdraw; and then they sent the gentleman usher of the house to him, to require his message; which, his lordship said, he was by the king's command to deliver himself, and refused therefore to send it, except the lords made an order, that he should not deliver it himself[o]; which they did; and thereupon he sent it to them; which they no sooner received, than they sent him word, "that he should, "at his peril, immediately depart the town, and that "they would take care that their answer to the mes-"sage should be sent to him." And so the earl of Southampton departed the town, reposing himself[p] at the house of a noble person seven or eight miles off. Whilst the earl had this skirmish with the lords, sir John Colepepper attended the commons, forbearing to go into the house without leave, because there had been an order, (which is mentioned before,) that all the members, who were not present at such a day, should not presume to sit there, till they had paid a hundred pounds, and given the house satisfaction in the cause of their absence. But he sent word to the speaker, "that he had a message "from the king to them, and that he desired to de-

BOOK VI. 1642.

[o] deliver it himself] *Not in MS.*

[p] reposing himself] *MS. adds:* in better company,

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"liver it in his place in the house." After some debate, (for there remained yet some, who thought it as unreasonable as irregular to deny a member of the house, against whom there had not been the least public objection, and a privy-counsellor who had been in all times used there with great respect,[r] leave to deliver a message from the king in his own place as a member,) it was absolutely resolved, "that "he should not sit in the house, but that he should "deliver his message at the bar, and immediately "withdraw;" which he did accordingly.

Then[s] the two houses met at a conference, and read the king's message with great superciliousness; and within two days, with less difficulty and opposition than can be believed, agreed upon their answer. The king's messengers, in the mean time, though of that quality, did not receive ordinary civilities[t] from any members of either house; they who were very willing to have done it,[u] not daring for their own safety to come near them; and the others[x] looking upon them as servants to a master whom they had, and meant farther to oppress. Private conferences they had with some of the principal governors; from whom they received no other advice, but that, if the king had any care of himself or his posterity, he should immediately come to London, throw himself into the arms of his parliament, and comply with[y] whatsoever they proposed. The answer which they returned to the king was this.

[r] respect,] reverence,
[s] Then] And then
[t] though of that quality, did not receive ordinary civilities] being of that quality, not receiving ordinary civility
[u] done it,] paid it,
[x] others] other
[y] with] in

The answer[z] *of the lords and commons to his majesty's message of the 25th of August*, 1642.

1642.

Their answer.

" May it please your majesty:

" The lords and commons, in parliament assembled, having received your majesty's message of the 25th of August, do with much grief resent the dangerous and distracted state of this kingdom; which we have by all means endeavoured to prevent, both by our several advices and petitions to your majesty; which hath been[a] not only without success, but there hath followed that which no ill counsel in former times hath produced, or any age hath seen, namely, those several proclamations and declarations against both the houses of parliament, whereby their actions are declared treasonable, and their persons traitors. And thereupon your majesty hath set up your standard against them, whereby you have put the two houses of parliament, and, in them, this whole kingdom, out of your protection; so that until your majesty shall recall those proclamations and declarations, whereby the earl of Essex, and both houses of parliament, and their adherents, and assistants, and such as have obeyed and executed their commands and directions, according to their duties, are declared traitors or otherwise delinquents: and until the standard, set up in pursuance of the said proclamation, be taken down, your majesty hath put us into such a condition, that, whilst we so remain, we cannot, by the fun-

[z] *The answer*] *This answer is in the handwriting of lord Clarendon's secretary.*

[a] hath been] have been

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" damental privileges of parliament, the public trust " reposed in us, or with the general good and safety " of this kingdom, give your majesty any other an- " swer to this message."

When the king's messengers returned with this answer to Nottingham, all men saw to what they must trust; and the king believed, he should be no farther moved to make addresses to them. And yet all hopes of an army, or any ability to resist that violence, seemed so desperate, that he was privately advised by some,[b] whom he trusted as much as any, and those whose affections were as entire to him as any men's, to give all other thoughts over, and instantly to make all imaginable haste to London, and to appear in the parliament-house before they had any expectation of him. And they conceived there would be more likelihood for him to prevail that way, than by any army he was like to raise. And it must be solely imputed to his majesty's own resolution,[c] that he took not that course. However he was contented to make so much farther use of their pride and passion, as to give them occasion, by another message, to publish more of it to the people; and therefore, within three days after the return of his messengers, he sent the lord Falkland, his principal secretary of state, with a reply to their answer in these words.

The king sends another message to the two houses.

" We will[d] not repeat, what means we have used " to prevent the dangerous and distracted estate of " the kingdom, nor how those means have been in- " terpreted; because, being desirous to avoid the ef-

[b] by some,] by those,
[c] resolution,] magnanimity,
[d] We will] *This reply is also in the handwriting of lord Clarendon's secretary.*

" fusion of blood, we are willing to decline all me-
" mory of former bitterness, that might render our
" offer of a treaty less readily accepted. We never
" did declare, nor ever intended to declare, both our
" houses of parliament traitors, or set up our stand-
" ard against them; and much less to put them and
" this kingdom out of our protection. We utterly
" profess against it before God, and the world; and,
" farther to remove all possible scruples, which may
" hinder the treaty so much desired by us, we hereby
" promise, so that a day be appointed by you for the
" revoking of your declarations against all persons
" as traitors, or otherwise, for assisting us; we shall,
" with all cheerfulness, upon the same day recall our
" proclamations and declarations, and take down our
" standard. In which treaty, we shall be ready to
" grant any thing, that shall be really for the good
" of our subjects: conjuring you to consider the
" bleeding condition of Ireland, and the dangerous
" condition of England, in as high a degree, as by
" these our offers we have declared ourself to do;
" and assuring you, that our chief desire, in this
" world, is to beget a good understanding and mu-
" tual confidence betwixt us and our two houses of
" parliament."

This message had no better effect or reception than the former; their principal officers being sent down since the last message to Northampton to put the army into a readiness to march. And now they required the earl of Essex himself to make haste thither, that no more time might be lost, sending by the lord Falkland, within two days, this answer to the king.

BOOK VI.

1642.

Their answer.

To the king's[e] most excellent majesty;

The humble answer and petition of the lords and commons assembled in parliament, unto the king's last message.

" May it please your majesty:

" If we, the lords and commons in parliament assembled, should repeat all the ways we have taken, " the endeavours we have used, and the expressions " we have made unto your majesty, to prevent those " distractions, and dangers, your majesty speaks of, " we should too much enlarge this reply. Therefore, as we humbly, so shall we only let your majesty know, that we cannot recede from our former " answer, for the reasons therein expressed. For " that your majesty hath not taken down your standard, recalled your proclamations and declarations, " whereby you have declared the actions of both " houses of parliament to be treasonable, and their " persons traitors; and you have published the same " since your message of the 25th of August, by your " late instructions sent to your commissioners of array; which standard being taken down, and the " declarations, proclamations, and instructions recalled, if your majesty shall then, upon this our " humble petition, leaving your forces, return unto " your parliament, and receive their faithful advice, " your majesty will find such expressions of our " fidelities, and duties, as shall assure you, that your " safety, honour, and greatness, can only be found in " the affections of your people, and the sincere coun-

[e] To the king's] *This answer is in the handwriting of lord Clarendon's secretary.*

" sels of your parliament; whose constant and un-
" discouraged endeavours and consultations have
" passed through difficulties unheard of, only to se-
" cure your kingdoms from the violent mischiefs
" and dangers now ready to fall upon them, and
" every part of them; who deserve better of your
" majesty, and can never allow themselves (repre-
" senting likewise your [f] whole kingdom) to be ba-
" lanced with those persons, whose desperate dispo-
" sitions and counsels prevail still to interrupt all
" our endeavours for the relieving of bleeding Ire-
" land; as we may fear our labours and vast ex-
" penses will be fruitless to that distressed king-
" dom. As your presence is thus humbly desired
" by us, so it is in [g] our hopes your majesty will in
" your reason believe, there is no other way than
" this, to make your majesty's self happy, and your
" kingdom safe."

And lest this overture of a treaty might be a means to allay and compose the distempers of the people, and that the hope and expectation of peace might not dishearten their party, in their preparations and contributions to the war, the same day they sent their last answer to the king, they published this declaration to the kingdom.

The two houses' declaration to the kingdom.

" Whereas [h] his majesty, in a message received
" the fifth of September, requires that the parlia-
" ment would revoke their declarations against such
" persons as have assisted his majesty in this unna-
" tural war against his kingdom; it is this day or-
" dered, and declared by the lords and commons,

[f] your] the
[g] in] *Omitted in MS.*
[h] Whereas] *This declaration is copied into the MS. by an amanuensis.*

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"that the arms, which they have been forced to "take up, and shall be forced to take up, for the "preservation of the parliament, religion, the laws "and liberties of the kingdom, shall not be laid "down, until his majesty shall withdraw his protec- "tion from such persons as have been voted by "both houses to be delinquents, or that shall by "both houses be voted to be delinquents, and shall "leave them to the justice of the parliament to be "proceeded with according to their demerit;[1] to "the end that both this and succeeding generations "may take warning, with what danger they incur "the like heinous crimes: and also to the end that "those great charges and damages, wherewith all "the commonwealth hath been burdened in the "premises, since his majesty's departure from the "parliament, may be borne by the delinquents, and "other malignant and disaffected persons: and that "all his majesty's good and well affected subjects, "who by loan of monies, or otherwise at their "charge, have assisted the commonwealth, or shall "in like manner hereafter assist the commonwealth "in time of extreme danger, may be repaid all "sums of money lent by them for those purposes, "and be satisfied their charges so sustained, out of "the estates of the said delinquents, and of the ma- "lignant and disaffected party in this kingdom."

This declaration did the king no harm; for besides that it was evident to all men, that the king had done whatsoever was in his power, or could be expected from him, for the prevention of a civil war, all persons of honour and quality plainly dis-

[1] demerit;] demerits;

cerned, that they had no safety but in the preservation of the regal power, since their estates were already disposed of by them who could declare whom they would delinquents, and would[k] infallibly declare all such who had not concurred with them. And the advantage the king received by those overtures, and the pride, frowardness, and perverseness of the rebels, is not imaginable; his levies of men, and all other preparations for the war, being incredibly advanced from the time of his first message. Prince Rupert lay still with the horse at Leicester; and though he, and some of the principal officers with him, were discontented to that degree, upon the king's first message and desire of a treaty, as likely[l] not only to destroy all hopes of raising an army, but to sacrifice those who were raised, that they were not without some thoughts, at least discourses, of offering violence to the principal advisers of it, he now found his numbers increased, and better resolved by it; and from Yorkshire, Lincolnshire, and Staffordshire, came very good recruits of foot; so that his cannon and munition being likewise come up from York, within twenty days his numbers began to look towards an army; and there was another air in all men's faces: yet Nottingham seemed not a good post for his majesty to stay longer at; and therefore, about the middle of September, the earl of Essex being then with his whole army at Northampton, his majesty marched from Nottingham to Derby; being not then resolved whither to bend his course, to Shrewsbury or Chester, not well knowing the temper of those towns, in

[k] and would] and who would

[l] likely] like

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both which the parliament party had been very active; but resolving to sit down near the borders of Wales, where the power of the parliament had been least prevalent, and where some regiments of foot were levying for his service. Before his leaving Nottingham, as a farewell to his hopes of a treaty, and to make the deeper sense and impression, in the hearts of the people, of those who had so pertinaciously rejected it, his majesty sent this message to the houses.

Another message from the king to the two houses in reply to their answer.

"Who have taken[m] most ways, used most endeavours, and made most real expressions to prevent the present distractions and dangers, let all the world judge, as well by former passages, as by our two last messages, which have been so fruitless, that, though we have descended to desire and press it, not so much as a treaty can be obtained; unless we would denude ourself of all force to defend us from a visible strength marching against us; and admit those persons as traitors to us, who, according to their duty, their oaths of allegiance, and the law, have appeared in defence of us, their king and liege lord, (whom we are bound in conscience and honour to preserve,) though we disclaimed all our proclamations, and declarations, and the erecting of our standard, as against our parliament. All we have now left in our power, is to express the deep sense we have of the public misery of this kingdom, in which is involved that of our distressed protestants of Ireland; and to apply ourself to our necessary defence, wherein we wholly rely

[m] Who have taken] *This message is in the same hand as the last declaration.*

"upon the providence of God, the justice of our "cause, and the affection of our good people; so "far we are from putting them out of our protec- "tion. When you shall desire a treaty of us, we "shall piously remember, whose blood is to be spilt "in this quarrel, and cheerfully embrace it. And "as no other reason induced us to leave our city "of London, but that, with honour and safety we "could not stay there; nor to[n] raise any force, but "for the necessary defence of our person and the "law, against levies in opposition to both; so we "shall suddenly and most willingly return to the "one, and disband the other, as soon as those "causes shall be removed. The God of heaven di- "rect you, and in mercy divert those judgments, "which hang over this nation; and so deal with "us, and our posterity, as we desire the preserva- "tion and advancement of the true protestant reli- "gion; the law, and the liberty of the subject; the "just rights of parliament, and the peace of the "kingdom."

The king removes to Derby.

When the king came to Derby, he received clear information from the well affected party in Shrewsbury, that the town was at his devotion; and that the very rumour of his majesty's purpose of coming thither had driven away all those who were most inclined to sedition. And therefore, as well in regard of the strong and pleasant situation of it, (one side being defended by the Severn, the other having a secure passage into Wales, the confines of Montgomeryshire extending very near the town,) as for the correspondence with Worcester, of which city

[n] to] *Not in MS.*

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he hoped well, and that, by his being at Shrewsbury, he should be as well able to secure Chester, as by carrying his whole train so far north; besides that the other might give some apprehension of his going into Ireland, which had been formerly mentioned, his majesty resolved for that town; and, after one day's stay at Derby, by easy marches he went thither, drawing his whole small forces to a rendezvous at [o] Wellington, a day's march short of Shrewsbury; and that being the first time that they were together, his majesty then caused his military orders for the discipline and government of the army to be read at the head of each regiment; and then, which is not fit ever to be forgotten, putting himself in the middle, where he might be best heard, not much unlike the emperor Trajan, who, when he made Sura great marshal of the empire, gave him a sword, saying, "Receive this sword of "me; and if I command as I ought, employ it in "my defence; if I do otherwise, draw it against "me, and take my life from me," his majesty made this speech to his soldiers.

The king's speech and protestation at the head of his forces, after the reading his orders of war.

"Gentlemen, [p] you have heard those orders read: "it is your part, in your several places, to observe "them exactly. The time cannot be long before "we come to action, therefore you have the more "reason to be careful: and I must tell you, I shall "be very severe in the punishing of those, of what "condition soever, who transgress these instruc-"tions. I cannot suspect your courage and reso-"lution; your conscience and your loyalty hath "brought you hither, to fight for your religion,

[o] at] by

[p] Gentlemen,] *This speech and protestation is copied by the amanuensis.*

" your king, and the laws of the land. You shall " meet with no enemies but traitors, most of them " Brownists, anabaptists, and atheists; such who " desire to destroy both church and state, and who " have already condemned you to ruin for being " loyal to us. That you may see what use I mean " to make of your valour, if it please God to bless " it with success, I have thought fit to publish my " resolution to you in a protestation; which when " you have heard me make, you will believe you " cannot fight in a better quarrel; in which I pro- " mise to live and die with you." BOOK VI. 1642.

The protestation his majesty was then pleased to make was in these words.

" I do promise in the presence of Almighty God, " and as I hope for his blessing and protection, that " I will, to the utmost of my power, defend and " maintain the true reformed protestant religion, " established in the church of England; and, by " the grace of God, in the same will live and die.

" I desire to govern by all [q] the known laws of " the land, and that the liberty and property of the " subject may be by them preserved with the same " care, as my own just rights. And if it please " God, by his blessing upon this army, raised for " my necessary defence, to preserve me from this " rebellion, I do solemnly and faithfully promise, in " the sight of God, to maintain the just privileges " and freedom of parliament, and to govern by the " known laws of the land to my utmost power; and " particularly, to observe inviolably the laws con- " sented to by me this parliament. In the mean

[q] all] *Not in MS.*

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"while, if this time of war, and the great necessity "and straits I am now driven to, beget any violation of those, I hope it shall be imputed by God "and men to the authors of this war, and not to "me; who have so earnestly laboured for the preservation of the peace of this kingdom.

"When I willingly fail in these particulars, I "will expect no aid or relief from any man, or protection from heaven. But in this resolution, I "hope for the cheerful assistance of all good men, "and am confident of God's blessing."

This protestation, and the manner and solemnity of making it, gave not more life and encouragement to the little army, than it did comfort and satisfaction to the gentry and inhabitants of those parts; into whom the parliament had infused, that, if his majesty prevailed by force, he would, with the same power, abolish all those good laws, which had been made this parliament; so that they looked upon this protestation, as a more ample security for their enjoying the benefit of those acts, than the royal assent he had before given. And a more general and passionate expression of affections cannot be imagined, than he received by the people of those counties of Derby, Stafford, and Shropshire, as he passed; or a better reception, than he found at Shrewsbury; into which town he entered on Tuesday the 20th of September.

The king comes to Shrewsbury.

It will be, and was then, wondered at, that since the parliament had a full and well formed army, before the king had one full regiment, and the earl of Essex was himself come to Northampton, some days before his majesty went from Nottingham, his lordship neither disquieted the king whilst he staid

there, nor gave him any disturbance in his march to Shrewsbury; which if he had done, he might either have taken him prisoner, or so dispersed his small power, that it would never have been possible for him to have gotten an army together. But as the earl had not yet received his instructions, so they, upon whom he depended, avoided that expedition out of mere pride, and contempt of the king's forces; and upon a presumption, that it would not be possible for him to raise such a power, as would be able to look their army in the face; but that, when he had in vain tried all other ways, and those, who not only followed him upon their own charges, but supported those who were not able to bear their own, (for his army was maintained and paid by the nobility and gentry, who served likewise in their own persons,) were grown weary and unable longer to bear that burden, his majesty would be forced to put himself into their arms for protection and subsistence; and such a victory without blood had crowned all their designs. And if their army, which they pretended to raise only for their defence, and for the safety of the king's person, had been able to prevent the king's raising any; or if the king, in that melancholic conjuncture at Nottingham, had returned to Whitehall, he had justified all their proceedings, and could never after have refused to yield to whatsoever they proposed.

And it is most certain, that the common soldiers of their[r] army were generally persuaded, that they should never be brought to fight; but that the king was in truth little better than imprisoned by evil

[r] their] the

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counsellors, malignants, delinquents, and cavaliers, (the terms applied to his whole party,) and would gladly come to his parliament, if he could break from that company; which he would undoubtedly do, if their army came once to such a distance, that his majesty might make an escape to them. In [s] this kind of discourse they were so sottish, that they were persuaded, that those persons, of whose piety, honour, and integrity, they had received heretofore the greatest testimony, were now turned papists; and that the small army, and forces the king had, consisted of no other than papists. Insomuch as truly those of the king's party, who promised themselves any support, but from the comfort of their own consciences, or relied upon any other means than from God Almighty, could hardly have made their expectations appear reasonable; for his enemies were in a manner [t] possessed of the whole kingdom.

Colonel Goring surrenders Portsmouth.

Portsmouth, the strongest and best fortified town then in the kingdom, was surrendered to them; colonel Goring, about the beginning of September, though he had seemed to be so long resolved, and prepared to expect a siege, and had been supplied with monies according to his own proposal, was brought so low, that he gave it up, only for liberty to transport himself beyond seas, and for his officers to repair to the king. And it were to be wished that there might be no more occasion to mention him hereafter, after this repeated treachery; and that his incomparable dexterity and sagacity had not

[s] In] And in [t] his enemies were in a manner] they were in truth

prevailed so far over those, who had been so often deceived by him, as to make it absolutely necessary to speak at large of him, more than once, before this discourse comes to an end.

The marquis of Hertford's proceedings in the west.

The marquis of Hertford, though he had so much discredited the earl of Bedford's soldiery, and disheartened his great army, that the earl [u] (after lying in the field [x] four or five nights within less than cannon shot of the castle and town, and after having refused to fight a duel with the marquis, to which he provoked him by a challenge) sent sir John Norcot, under pretence of a treaty and the godly care to avoid the effusion of Christian blood, in plain English to desire "that he might fairly and peaceably draw off his forces, and march away;" the which, how reasonable a request soever it was, the marquis refused; sending them word, "that as they came thither upon their own counsels, so they should get off as they could;" and at last they did draw off, and march above a dozen miles for repose; leaving the marquis, for some weeks, undisturbed at Sherborne: yet when he heard of the loss of Portsmouth, the relief whereof was his principal business, and so that those forces would probably be added to the earl of Bedford, and by their success give much courage to his bashful army, and that a good regiment of horse, which he expected, (for sir John Byron had sent him word from Oxford, that he would march towards him,) was retired to the king; and that the committees were now so busy in the several counties, that the people in all places declared for the parliament; and more particularly

[u] earl] earl of Bedford

[x] field] fields

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some strong and populous towns in Somersetshire; as Taunton, Wellington, and Dunstar-Castle; by reason whereof it would not be possible for him to increase his strength; he resolved to leave Sherborne, where his stay could no way advance the king's service, and to try all ways to get to his majesty. But when he came to Minhead, a port-town, from whence he made no doubt he should be able to transport himself and his company into Wales, he found the people both of the town and county so disaffected, that all the boats, of which there used always to be great store, by reason of the trade for cattle and corn with Wales, were industriously sent away, save only two; so that the earl of Bedford having taken new heart, and being within four miles with his army, his lordship, with his small cannon and few foot, with the lord Pawlet, lord Seymour, and some gentlemen of Somersetshire, transported himself into Glamorganshire; leaving sir Ralph Hopton, sir John Berkley, Mr. Digby, and some other officers with their horse, (consisting of about one hundred and twenty,) to march into Cornwall, in hopes[y] to find that county better prepared for their reception.

Thence transporteth himself into Glamorganshire.

On the other hand, the earl of Bedford, thinking those few fugitives not worth his farther care, and that they would be easily apprehended by the committee of the militia, which was very powerful in Devon and Cornwall, contented himself with having driven away the marquis, and so expelled all hope of raising an army for the king in the west; and retired with his forces to the earl of Essex, as sir

[y] hopes] hope

William Waller had done from Portsmouth; so that as it was not expected, that the forces about his majesty could be able to defend him against so puissant an army, so it was not imaginable that he could receive any addition of strength from any other parts. For wherever they found any person of quality inclined to the king, or but disinclined to them, they immediately seized upon his person, and sent him in great triumph to the parliament; who committed him to prison, with all circumstances of cruelty and inhumanity. 1642.

Thus they took prisoner the lord Mountague of Boughton, at his house in Northamptonshire, a person of great reverence, being above fourscore years of age, and of unblemished reputation, for declaring himself unsatisfied with their disobedient and undutiful proceedings against the king, and more expressly against their ordinance for the militia; and notwithstanding that he had a brother of the house of peers, the lord privy seal, and a nephew, the lord Kimbolton, who had as full a power in that council as any man, and a son in the house of commons very unlike his father; his lordship was committed to the Tower a close prisoner; and, though he was afterwards remitted to more air, he continued a prisoner to his death.

Thus they took prisoner in Oxfordshire the earl of Berkshire, and three or four principal gentlemen of that county; and committed them to the Tower, for no other reason but wishing well to the king; for they never appeared in the least action in his service. And thus they took prisoner the earl of Bath in Devonshire, who neither had, or ever meant to do the king the least service; but only out of the

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morosity of his own nature, had before, in the house, expressed himself not of their minds;[z] and carried him, with many other gentlemen of Devon and Somerset, with a strong guard of horse, to London; where, after they had been exposed to the rudeness and reproach of the common people, who called them traitors and rebels to the parliament, and pursued them with such usage as they use to the most infamous malefactors, they were, without ever being examined, or charged with any particular crime, committed to several prisons; so that not only all the prisons about London were quickly filled with persons of honour, and great reputation for sobriety and integrity to their counties, but new prisons were made for their reception; and, which was a new and barbarous invention, very many persons of very good quality, both of the clergy and laity, were committed to prison on board the ships in the river of Thames; where they were kept under decks, and no friend suffered to come to them, by which many lost their lives. And that the loss of their liberty might not be all their punishment, it was the usual course, and very few escaped it, after any man was committed as a notorious malignant, (which was the brand,) that his estate and goods were seized or plundered by an order from the house of commons, or some committee, or the soldiers, who in their march took the goods of all papists[a] and eminent malignants, as lawful prize; or by the fury and licence of the common people, who were in all places grown to that barbarity and rage against the nobility and gentry, (under the style of cavaliers,) that it was

[z] minds;] mind;

[a] papists] catholics

not safe for any to live at their houses, who were taken notice of as no votaries to the parliament. 1642.

So the common people (no doubt by the advice of their superiors) in Essex on a sudden beset the house of sir John Lucas, one of the best gentlemen of that county, and of the most eminent affection to the king, being a gentleman of the privy chamber to the prince of Wales; and, upon pretence that he was going to the king, possessed themselves of all his horses and arms, seized upon his person, and used him with all possible indignities, not without some threats to murder him: and when the mayor of Colchester, whither he was brought, with more humanity than the rest, offered to keep him prisoner in his own house, till the pleasure of the parliament should be farther known, they compelled him, or he was willing to be compelled, to send him to the common gaol; where he remained, glad of that security, till the house of commons removed him to another prison, (without ever charging him with any crime,) having sent all his horses to the earl of Essex, to be used in the service of that army.

At the same time the same rabble entered the house of the countess of Rivers, near Colchester; for no other ground, than that she was a papist; and in few hours disfurnished it of all the goods, which had been many years with great curiosity providing, and were not of less value than forty thousand pounds sterling; the countess herself hardly escaping, after great insolence had been used to her person: and she could never receive any reparation from the parliament. These[b] and many other in-

[b] parliament. These] parliament; so that these

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stances of the same kind in London and the parts adjacent, gave sufficient evidence to all men how little else they were to keep, who meant to preserve their allegiance and integrity in the full vigour.

I must not forget, though it cannot be remembered without much horror, that this strange wildfire among the people was not so much and so furiously kindled by the breath of the parliament, as of their clergy,[c] who both administered fuel, and blowed the coals in the houses too. These men having creeped into, and at last driven all learned and orthodox men from, the pulpits, had, as is before remembered, from the beginning of this parliament, under the notion of reformation and extirpating of popery, infused seditious inclinations into the hearts of men against the present government of the church, with many libellous invectives against the state too. But since the raising an army, and rejecting the king's last overture of a treaty, they contained themselves within no bounds; and as freely and without control inveighed against the person of the king, as they had before against the worst malignant; profanely and blasphemously applying whatsoever had been spoken and declared by God himself, or the prophets, against the most wicked and impious kings, to incense and stir up the people against their most gracious sovereign.

There are monuments enough in the seditious sermons at that time printed, and in the memories of men, of others not printed, of such wresting and perverting of scripture to the odious purposes of the preacher, that pious men will not look over without

[c] their clergy,] the clergy,

trembling. One takes his text out of Moses's words in the 32d chapter of Exodus, and the 29th verse; *Consecrate yourselves to-day to the Lord, even every man upon his son, and upon his brother, that he may bestow upon you a blessing this day:* and from thence incites his auditory to the utmost prosecution of those, under what relation soever of blood, neighbourhood, dependence, who concurred not in the reformation proposed by the parliament. Another makes as bold with David's words, in the 1st Chron. chap. xxii. verse 16. *Arise therefore, and be doing:* and from thence assures them, it was not enough to wish well to the parliament; if they brought not their purse, as well as their prayers, and their hands, as well as their hearts, to the assistance of it, the duty in the text was not performed. There were[d] more than Mr. Marshall, who from the 23d verse of the 5th chapter of Judges, *Curse ye Meroz, said the angel of the Lord; curse ye bitterly the inhabitants thereof, because they came not to the help of the Lord, to the help of the Lord against the mighty;* presumed to inveigh against, and in plain terms to pronounce God's own curse against all those, who came not, with their utmost power and strength, to destroy and root out all the malignants, who in any degree opposed the parliament.

There was one, who from the 48th chapter of the prophet Jeremiah, and the 10th verse, *Cursed be he that keepeth back his sword from blood,* reproved those who gave any quarter to the king's soldiers. And another out of the 5th verse of the 25th chap-

[d] were] was

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ter of Proverbs, *Take away the wicked from before the king, and his throne shall be established in righteousness,* made it no less a case of conscience by force to remove the evil counsellors from the king, (with bold intimation what might be done to the king himself, if he would not suffer them to be removed,) than to perform any Christian duty that is enjoined. It would fill a volume to insert all the impious madness of this kind, so that the complaint of the prophet Ezekiel might most truly and seasonably have been applied; *There is a conspiracy of her prophets in the midst thereof, like a roaring lion ravening the prey; they have devoured souls; they have taken the treasure and precious things; they have made her many widows in the midst thereof.*

Ezek. xxii. 25.

It was the complaint of Erasmus of the clergy in his time, that when princes were inclinable to wars, *alius e sacro suggesto promittit omnium admissorum condonationem, alius promittit certam victoriam, prophetarum voces ad rem impiam detorquens. Tam bellaces conciones audivimus,* says he. And indeed no good Christian can, without horror, think of those ministers of the church, who, by their function being messengers of peace, were the only trumpets of war, and incendiaries towards rebellion. How much more Christian was that Athenian nun in Plutarch, and how shall she rise up in judgment against those men, who, when Alcibiades was condemned by the public justice of the state, and a decree made that all the religious priests and women should ban and curse him, stoutly refused to perform that office; answering, "that she was pro-"fessed religious, to *pray* and to *bless*, not to *curse*

"and to *ban*." And if the person and the place can improve and aggravate the offence, (as without doubt it doth, both before God and man,) methinks the preaching treason and rebellion out of the pulpits should be worse than the advancing it in the market, as much as poisoning a man at the communion would be worse than murdering him at a tavern. And it may be, in that catalogue of sins, which the zeal of some men hath thought to be the sin against the Holy Ghost, there may not any one be more reasonably thought to be such, than a minister of Christ's turning rebel against his prince, (which is a most notorious apostasy against his order,) and his preaching rebellion to the people, as the doctrine of Christ; which, adding blasphemy and pertinacy to his apostasy, hath all the marks by which good men are taught to avoid that sin against the Holy Ghost. 1642.

The earl of Essex moves with his army from Northampton.

Within three or four days after the king's remove from Nottingham, the earl of Essex, with his whole army, removed from Northampton, and marched towards Worcester; of which his majesty had no sooner intelligence, than he sent prince Rupert, with the greatest part of the horse, on the other side of the Severn, towards that city; as well to observe the motion of the enemy, as to give all assistance to that place, which had declared good affections to him; at least to countenance and secure the retreat of those gentlemen, who were there raising forces for the king; but especially to join with sir John Byron, whom his majesty had sent, in the end of August, to Oxford, to convey some money, which had been secretly brought from London thither to his majesty. And he, after some small disasters in

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his march, by the insurrection of the country people, who were encouraged by the agents for the parliament, and seconded by the officers of the militia, came safe with his charge to Worcester; where he had been very few hours, when a strong party of horse and dragoons, being sent by the earl of Essex, under the command of Nathaniel Fiennes, son to the lord Say, came to surprise the town; which was open enough to have been entered in many places, though in some it had an old decayed wall; and, at the most usual and frequented entrances into the city, weak and rotten gates to be shut, but without either lock or bolt.

Yet this commander,[e] coming early in the morning, when the small guard which had watched, conceiving all to be secure, were gone to rest, and being within musket shot of the gate before he was discovered, finding that weak gate[f] shut, or rather closed against him, and not that quick appearance of a party within the town, as he promised himself, without doing any harm, retired in great disorder, and with so much haste, that the wearied horse, sent out presently to attend him, could not overtake any of his train; so that when prince Rupert came thither, they did not conceive any considerable party of the enemy to be near. However his highness resolved to retire from thence, as soon as he should receive perfect intelligence of the motion of the enemy,[g] when on the sudden reposing[h] himself on the ground with prince Maurice his brother, the lord Digby, and the principal officers, in the field before

[e] commander,] doughty commander,

[f] gate] door

[g] enemy,] *MS. adds:* or where certainly he was,

[h] reposing] being reposing

the town, some of his wearied troops (for they had had a long march) being by, but the rest and most of the officers in[i] the town, he espied a fair body of horse, consisting of near five hundred, marching in very good order up a lane within musket shot of him. In this confusion, they had scarce time to get upon their horses, and none to consult of what was to be done, or to put themselves into their several places of command. And, it may be, it was well they had not; for if all those officers had been in the heads of their several troops, it is not impossible it might have been worse. But the prince instantly declaring, "that he would charge;" his brother, the lord Digby, commissary general Wilmot, sir John Byron, sir Lewis Dives, and all those officers and gentlemen, whose troops were not present or ready, put themselves next the prince; the other wearied troops coming in order after them.

A rencounter between the forces near Worcester, where prince Rupert gets the better.

In[k] this manner the prince charged them, as soon as they came out of the lane; and being seconded by this handful of good men, though the rebels being gallantly led by colonel Sandys, (a gentleman of Kent, and the son of a worthy father,) and completely armed both for offence and defence, stood well; yet in a short time, many of their best men being killed, and colonel Sandys himself falling with his hurts, the whole body was routed, fled, and was pursued by the conquerors for the space of above a mile. The number of the slain were not many, not above forty or fifty, and those most officers; for their arms were so good, that in the charge they were not to be easily killed, and in the chase the goodness of

[i] in] being in

[k] In] And in

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their horse made it impossible. Colonel Sandys, who died shortly after of his wounds, captain Wingate, who was the more known, by being a member of the house of commons, and[l] taken notice of for having in that charge behaved himself stoutly, and two or three Scottish[m] officers, were taken prisoners. Of the king's party none of name was lost: commissary general Wilmot hurt with a sword in the side, and sir Lewis Dives in the shoulder, and two or three other officers of inferior note; none miscarrying of their wounds, which was the more strange for that, by reason they expected not an encounter, there was not, on the prince's side, a piece of armour worn that day, and but few pistols; so that most of the hurt that was done was by the sword. Six or seven cornets of the enemy's[n] were taken, and many good horses, and some arms; for they who run away made themselves as light as they could.

This rencounter proved of great[o] advantage and benefit to the king. For it being the first action his horse had been brought to, and that party of the enemy being the most picked and choice men, it gave his troops great courage, and rendered the name of prince Rupert very terrible, and exceedingly appalled the adversary; insomuch as they had not, in a long time after, any confidence in their horse, and their very numbers were much lessened by it. For that whole party being routed, and the chief officers of name and reputation either killed or taken, though the number lost upon the place was not considerable, there were very many more who

[l] and] though
[m] Scottish] Scotch
[n] of the enemy's] *Not in MS.*
[o] great] unspeakable

never returned to the service; and, which was worse, for their own excuse, in all places, talked aloud of the incredible and unresistible courage of prince Rupert, and the king's horse. So that, from this time, the parliament begun to be apprehensive, that the business would not be as easily ended, as it was begun; and that the king would not be brought back to them[p] with their bare votes. Yet how faintly soever the private pulses beat, (for no question many, who had made greatest noise, wished they were again to choose their side,) the two houses were so far[q] from any visible abatement of their mettle, that to weigh down any possible supposition that they might be inclined, or drawn to treat with the king, or that they had any apprehension that the people would be less firm, and constant to them, they proceeded to bolder acts to evince both, than they had yet done.

For to the first, to shew how secure they were against resentment from his allies, as well as against his majesty's own power, they caused the Capuchin friars, who, by the articles of marriage, were to have a safe reception and entertainment in the queen's family, and had, by her majesty's care, and at her charge, a small, but a convenient habitation, by her own chapel, in her own house, in the Strand, and had continued there, without disturbance, from the time of the marriage, after many insolencies and indignities offered to them by the rude multitude, even within those gates of her own house, to be taken from thence, and to be sent over into France,

[p] to them] to his parliament

[q] the two houses were so far] there was so far

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with protestation, "that if they were found again "in England, they should be proceeded against as "traitors:" and this in the face of the French ambassador, who notwithstanding withdrew not from them his courtship and application.

Then, that the king might know how little they dreaded his forces, they sent down their instructions to the earl of Essex their general, who had long expected them; whereby, among other things of form for the better discipline of the army, "they requir-

The two houses' instructions to their general.

"ed him to march, with such forces as he thought "fit, towards the army raised, in his majesty's name, "against the parliament and the kingdom; and with "them, or any part of them, to fight at such time "and place as he should judge most to conduce to "the peace and safety of the kingdom: and that "he should use his utmost endeavour by battle, or "otherwise, to rescue his majesty's person, and the "persons of the prince, and duke of York, out of "the hands of those desperate persons, who were "then about them. They directed him to take an "opportunity, in some safe and honourable way, to "cause the petition of both houses of parliament, "then sent to him, to be presented to his majesty; "and if his majesty should thereupon please to with-"draw himself from the forces then about him, and "to resort to the parliament, his lordship should "cause his majesty's forces to disband, and should "serve and defend his majesty with a sufficient "strength in his return. They required his lord-"ship to publish and declare, that if any who had "been so seduced, by the false aspersions cast upon "the proceedings of the parliament, as to assist the "king in acting of those dangerous counsels, should

" willingly, within ten days after such publication in " the army, return to their duty, not doing any hos- " tile act within the time limited, and join them- " selves with the parliament in defence of religion, " his majesty's person, the liberties, and law of the " kingdom, and privileges of parliament, with their " persons, and estates, as the members of both houses, " and the rest of the kingdom, have done, that the " lords and commons would be ready, upon their " submission, to receive such persons in such a[r] " manner, as they should have cause to acknowledge " they had been used with clemency and favour; " provided that that favour should not extend to " admit any man into either house of parliament, " who stood suspended, without giving satisfaction " to the house whereof he should be a member; and " except all persons who stood impeached, or parti- " cularly voted against[s] in either house of parlia- " ment for any delinquency whatsoever; excepting " likewise such adherents of those who stood im- " peached in parliament of treason, as had been emi- " nent persons, and chief actors in those treasons." And lest those clauses of exception (which no doubt comprehended all the king's party, and if not, they were still to be judges of their own clemency and favour, which was all was promised to the humblest penitent) might invite those, whom they had no mind to receive on any terms, they vouchsafed a " particular exception of the earl of Bristol, the earl " of Cumberland, the earl of Newcastle, the earl of " Rivers, the duke of Richmond, the earl of Carnar- " von, the lord Newark, and the lord viscount Falk-

[r] a] *Not in MS.* [s] against] *Not in MS.*

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"land, principal secretary of state to his majesty, "Mr. Secretary Nicholas, Mr. Endymion Porter, "Mr.[t] Edward Hyde;" against not one of whom was there a charge depending of any crime, and against very few of them so much as a vote, which was no great matter of delinquency.

It will be here necessary to insert the petition, directed to be presented in some safe and honourable way to his majesty; the rather for that the same was, upon the reasons hereafter mentioned, never presented; which was afterwards objected to his majesty as a rejection of peace on his part, when they desired it. The petition was in these words.

The petition of both houses to the king, sent to the general to be presented, but never delivered.

"We[u] your majesty's loyal subjects, the lords "and commons in parliament, cannot, without great "grief, and tenderness of compassion, behold the "pressing miseries, the imminent dangers, and the "devouring calamities, which extremely threaten, "and have partly seized upon, both your kingdoms "of England and Ireland, by the practices of a par- "ty prevailing with your majesty; who, by many "wicked plots and conspiracies, have attempted the "alteration of the true religion, and the ancient go- "vernment of this kingdom, and the introducing of "popish idolatry and superstition in the church, "and tyranny and confusion in the state; and, for "the compassing thereof, have long corrupted your "majesty's counsels, abused your power, and, by "sudden and untimely dissolving of former parlia- "ments, have often hindered the reformation and "prevention of those mischiefs; and being now dis-

[t] Mr.] and Mr.

[u] We] *This petition is in the handwriting of lord Clarendon's secretary.*

" abled to avoid the endeavours of this parliament,
" by any such means, have traitorously attempted
" to overawe the same by force; and, in prosecu-
" tion of their wicked designs, have excited, encou-
" raged, and fostered an unnatural rebellion in Ire-
" land; by which, in a most cruel and outrageous
" manner, many thousands of your majesty's sub-
" jects there have been destroyed; and, by false
" slanders upon your parliament, and malicious and
" unjust accusations, have endeavoured to begin the
" like massacre here; and being, through God's
" blessing, therein disappointed, have, as the most
" mischievous and bloody design of all, drawn your
" majesty to make war against your parliament,
" and good subjects of this kingdom, leading in
" your person an army against them, as if you in-
" tended, by conquest, to establish an absolute and
" unlimited power over them; and by your power,
" and the countenance of your presence, have[x] ran-
" sacked, spoiled, imprisoned, and murdered divers
" of your people; and, for their better assistance in
" their wicked designs, do seek to bring over the
" rebels of Ireland, and other forces, beyond the
" seas, to join with them.

" And we, finding ourselves utterly deprived of
" your majesty's protection, and the authors, coun-
" sellors, and abettors of these mischiefs in greatest
" power and favour with your majesty, and de-
" fended by you against the justice and authority
" of your high court of parliament; whereby they
" are grown to that height and insolence, as to ma-
" nifest their rage and malice against those of the

[x] have] you have

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" nobility, and others, who are any whit inclinable
" to peace, not without great appearance of danger
" to your own royal person, if you shall not in all
" things concur with their wicked and traitorous
" courses; have, for the just and necessary defence
" of the protestant religion, of your majesty's per-
" son, crown, and dignity, of the laws and liberties
" of the kingdom, and the privileges and power of
" parliament, taken up arms, and appointed and
" authorized Robert earl of Essex to be captain
" general of all the forces by us raised, and to lead
" and conduct the same against these rebels and
" traitors, and them to subdue, and bring to con-
" dign punishment; and do most humbly beseech
" your majesty to withdraw your royal presence
" and countenance from those wicked persons; and,
" if they shall stand out in defence of their rebel-
" lious and unlawful attempts, that your majesty
" will leave them to be suppressed by that power,
" which we have sent against them; and that your
" majesty will not mix your own dangers with
" theirs, but in peace and safety, without your
" forces, forthwith return to your parliament; and,
" by their faithful counsel and advice, compose the
" present distempers and confusions abounding in
" both your kingdoms; and provide for the security
" and honour of yourself and your royal posterity,
" and the prosperous estate of all your subjects;
" wherein if your majesty please to yield to our
" most humble and earnest desires, we do, in the
" presence of Almighty God, profess, that we will
" receive your majesty with all honour, yield you
" all due obedience and subjection, and faithfully
" endeavour to secure your person and estate from

" all dangers; and, to the uttermost of our power, " to procure and establish to yourself, and to your " people, all the blessings of a glorious and happy " reign."

Besides this,[y] that it might appear they were nothing jealous or apprehensive of the people's defection and revolt from them, whereas before they had made the general desire of the kingdom the ground and argument for whâtsoever they had done, and had only invited men to contribute freely what they thought fit to the charge in hand, without compelling any who were unwilling; they now took notice not only of those who opposed their proceedings, or privately dissuaded other men from concurring with them, but of those, who either out of fear, or covetousness, or both, had neglected really to contribute; and therefore they boldly published their votes, (which were laws to the people, or of much more authority,) " That all such persons, as should not " contribute to the charge of the commonwealth, in " that time of eminent necessity, should be dis- " armed and secured;" and that this vote might be the more terrible, they ordered, the same day, the mayor and sheriffs of London, " to search the " houses, and seize the arms belonging to some al- " dermen, and other principal substantial citizens of " London," whom they named in their order; " for " that it appeared by the report from their com- " mittee, that they had not contributed, as they " ought, to the charge of the commonwealth."

Votes of both houses for raising and procuring money.

By[z] this means the poorest and lowest of the people became informers against the richest and

[y] Besides this,] Then,

[z] By] And by

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most substantial; and the result of searching the houses and seizing the arms was, the taking away plate, and things of the greatest value, and very frequently plundering whatsoever was worth the keeping. They farther appointed, "that the fines, "rents, and profits of archbishops, bishops, deans, "deans and chapters, and of all delinquents, who "had taken up arms against the parliament, or had "been active in the commission of array, should be "sequestered for the use and benefit of the com-"monwealth." And that the king might not fare better than his adherents, they directed "all his re-"venue, arising out of rents, fines in courts of jus-"tice, composition for wards, and the like, and all "other his revenue, should be brought into the se-"veral courts, and other places, where they ought "to be paid in, and not issued forth, or paid forth, "until farther order should be taken by both houses "of parliament;" without so much as assigning him any part of his own, towards the support of his own person.

This stout invasion of the people's property, and compelling them to part with what was most precious to them, any part of their estates, was thought by many an unpopular[a] act, in the morning of their sovereignty, and that it would wonderfully have irreconciled their new subjects to them. But the conductors well understood, that their empire already depended more on the fear, than love of the people; and that as they could carry on the war only by having money enough to pay the soldiers, so, that whilst they had that, probably they should

[a] unpopular] unpolitic

not want men to recruit their armies upon any misadventure.

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It cannot be imagined, how great advantages[b] the king received by the parliament's rejecting the king's messages for peace, and their manner in doing it. All men's mouths were opened against them, the messages and answers being read in all churches; they, who could not serve him[c] in their persons, contrived ways to supply him with money. Some eminent governors in the universities gave him notice that all the colleges were very plentifully supplied with plate, which would amount to a good value, and lay useless in their treasuries, there being enough besides for their common use; and there was not the least doubt, but that whensoever his majesty should think fit to require that treasure, it would all be sent to him. Of this the king had long thought, and, when he was at Nottingham, in that melancholic season, two gentlemen were despatched[c] away to Oxford, and to Cambridge, (two to each,) with letters to the several vice-chancellors, that they[d] should move the heads and principals of

[b] advantages] advantage

[c] they, who could not serve him—were despatched] *Thus originally in MS.:* When Mr. Hyde came from London towards York, to attend the king, he made Oxford his way; and there conferring with his friend Dr. Sheldon, then warden of All Souls, of the ill condition the king was in, by his extreme want of money, with which there could be no way to supply him, the parliament being possessed of all his revenues, the doctor told him, and wished him to inform the king of it, that all the colleges in Oxford, and he did believe the like of Cambridge, were very plentifully supplied with plate, which would amount to a good value, and lay useless in their treasury; there being enough besides for their use; and he had given the king information of this, as soon as he came to York; and when he was at Nottingham, in that melancholic season, he put him in mind again of it, and then two gentlemen were despatched &c.

[d] they] he

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the several colleges and halls, that they would send their plate to the king; private advertisements being first sent to some trusty[e] persons to prepare and dispose those, without whose consent the service could not be performed.

This whole affair was transacted with so great secrecy and discretion, that the messengers returned from the two universities, in as short a time as such a journey could well be made; and brought with them all, or very near all, their plate, and a considerable sum of money, which was sent as a present to his majesty from several of the heads of colleges, out of their own particular stores; some scholars coming with it, and helping to procure horses and carts for the service; all which came safe to Nottingham, at the time when there appeared no more expectation of a treaty, and contributed much to raising the dejected spirits of the place. The plate was presently weighed out, and delivered to the several officers, who were intrusted to make levies of horse and foot, and who received it as money; the rest was carefully preserved to be carried with the king, when he should remove from thence; secret orders being sent to the officers of the mint, to be ready to come to his majesty as soon as he should require them; which he meant to do, as soon as he should find himself in a place convenient. There was now no more complaining or murmuring. Some gentlemen undertook to make levies upon their credit[f] and interest, and others sent money to the king upon their own inclinations.

The two universities contributed their money and plate to the king.

There was a pleasant story, then much spoken

[e] trusty] confidant

[f] their credit] their own credit

of in the court, which administered some mirth. There were two great men who lived near Nottingham, both men of great fortunes and of great parsimony, and known to have much money lying by them [g]. To the former the lord Capel was sent; to the latter, John Ashburnham of the bedchamber, and of entire confidence with his master; each of them with a letter, all written with the king's hand, to borrow of each ten or five thousand pounds. Capel was very civilly received by one, [h] and entertained as well as the ill accommodations in his house, and his manner of living, would admit. He expressed, with wonderful civil professions [i] of duty, "the great trouble he sustained, in not being able "to comply with his majesty's commands:" he said, "all men knew that he neither had, nor could have "money, because he had every year, of ten or a "dozen which were past, purchased a thousand "pounds land a year; and therefore he could not "be imagined to have any money lying by him, "which he never loved to have. But, he said, he "had a neighbour, who lived within few miles of "him, [k] who was good for nothing, and lived like a "hog, not allowing himself necessaries, and who "could not have so little as twenty thousand pounds "in the scurvy house in which he lived;" and advised, "he [l] might be sent to, who could not deny "the having of money;" and concluded with great duty to the king, and detestation of the parliament; and as if he meant to consider farther of the thing,

[g] by them.] *In MS. B. their names are given; Pierrepoint earl of Kingston, and Leake lord Dencourt.*

[h] by one,] by the earl,

[i] professions] expressions

[k] a neighbour—miles of him,] *MS. adds:* the lord Dencourt.

[l] he] that he

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and to endeavour to get some money for him; which though he did not remember to send, his affections were good, and he was afterwards killed in the king's service.

Ashburnham got no more money, nor half so many good words. That lord[m] had so little correspondence with the court, that he had never heard his name; and when he had read the king's letter, he asked from whom it was; and when he told him, "he[n] saw it was from the king," he replied, "that "he was not such a fool as to believe it. That he "had received letters both from the king[o] and his "father;" and hastily running[p] out of the room, returned[q] with half a dozen letters in his hand; saying, "that those were all the king's letters, and that "they always begun with *Right trusty and well-be-* "*loved*, and the king's name was ever at the top; "but this letter begun with his own name,[r] and "ended with *your loving friend C. R.* which, he "said, he was sure could not be the king's hand." His other treatment was according to this, and, after an ill supper, he was shewed an indifferent bed; the lord telling him, "that he would confer more of the "matter in the morning;" he having sent a servant with a letter to the lord Falkland, who was his wife's nephew, and who had scarce ever seen his uncle. The man came to Nottingham about midnight, and found my lord Falkland in his bed. The letter was to tell him, "that one Ashburnham was with him, "who brought him a letter, which he said was from

[m] That lord] The lord Dencourt

[n] he] that he

[o] the king] this king

[p] running] ran

[q] returned] and returned

[r] begun with his own name,] began with Dencourt,

"the king; but he knew that could not be; and "therefore he desired to know, who this man was, "whom he kept in his house till the messenger "should return." In spite of the laughter, which could not be forborne, the lord Falkland made haste to inform him of the condition and quality of the person, and that the letter was writ with the king's own hand, which he seldom vouchsafed to do. And the messenger returning early the next morning, his lordship treated Mr. Ashburnham with so different a respect, that he, who knew nothing of the cause, believed that he should return with all the money that was desired. But it was not long before he was undeceived. The lord, with as cheerful a countenance as his could be, for he had a very unusual and unpleasant face, told him, "that though he had no "money himself, but was in extreme want of it, he "would tell him where he might have money "enough; that he had a neighbour, who lived within four or five miles,[s] that never did good to any "body, and loved nobody but himself, who had a "world of money, and could furnish the king with "as much as he had need of; and if he should deny "that he had money when the king sent to him, he "knew where he had one trunk full, and would discover it; and that he was so ill beloved, and had so "few friends, that nobody would care how the king "used him." This[t] good counsel was all Mr. Ashburnham could make of him: and yet this wretched man was so far from wishing well to the parliament, that when they had prevailed, and were possessed of the whole kingdom, as well as of Nottinghamshire,

[s] miles,] *MS. adds*, the earl of Kingston. [t] This] And this

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he would not give them one penny; nor compound for his delinquency, as they made the having lived in the king's quarters to be; but suffered his whole estate to be sequestered, and lived in a very miserable fashion, only by what he could ravish from his tenants; who, though they paid their rents to the parliament, were forced by his rage and threats to part with so much as kept him, till he died, in that condition he chose to live in: his conscience being powerful enough to deny himself, though it could not dispose him to grant to the king. And thus the two messengers returned to the king, so near the same time, that he who came first had not given his account to the king, before the other entered into his presence.

The same day, a gentleman in those parts, known[x] to be very rich, being pressed to lend the king five hundred pounds, sent him a present of one hundred pieces in gold; "which," he said, "he had "procured with great difficulty;" and protested, with many execrable imprecations, "that he had "never in his life seen five hundred pounds of his "own together;" when, within one month after the king's departure, the parliament troops, which borrowed in another style, took five thousand pounds from him, which was lodged with him, in the chamber in which he lay. Which is therefore mentioned in this place, that upon this occasion it may be seen, that the unthrifty retention of their money, which possessed the spirits of those, who did really wish the king all the success he wished for himself, was

[x] The same day—known] And the same day, Mr. Sacheverel, who was a gentleman, and known

one unhappy cause[y] of all his misfortunes: and if they had, in the beginning, but lent the king the fifth part of what, after infinite losses, they found necessary to sacrifice to his enemies, in the conclusion, to preserve themselves from total ruin, his majesty had been able, with God's blessing, to have preserved them, and to have destroyed all his enemies.[z]

[y] one unhappy cause] the unhappy promotion

[z] enemies.] *The following portion from MS. B. is omitted in the History.* The king was weary of Nottingham, where he had received so many mortifications; and was very glad in so short a time to find himself in a posture fit to remove from thence. The general, earl of Lindsay, had brought to him a good regiment of foot out of Lincolnshire, of near one thousand men, very well officered; and the lord Willoughby, his son, who had been a captain in Holland, and to whom his majesty had given the command of his guards, had brought up likewise from Lincolnshire another excellent regiment, near the same number, under officers of good experience. John Bellasis, a younger son of the lord Falconbridge, and sir William Penniman, were come up from Yorkshire to the standard, with each of them a good regiment of foot, of about six hundred men, and each of them a troop of horse. Though his train of artillery was but mean, and his provision of ammunition much meaner, yet it was all he could depend [upon,] and therefore it was to be well spent, and as soon as might be, all the impatience being now to fight. The lord Paget, who left the parliament shortly after the king came to York, to expiate former transgressions, had undertaken to raise a good regiment of foot in Staffordshire, where his best interest was; and some other persons of condition had made the same engagements for Wales. The lord Strange (for his father the earl of Derby was then living) was thought to have much more power in Cheshire and Lancashire than in truth he had; and some of the best men of those counties had commissions to raise both horse and foot in those counties; so that though the king was not resolved where to make a stand, yet it appeared necessary to make his march towards those parts. For all the reasons mentioned, Shrewsbury was by all men thought to be the best post, because of the communication it had with all the other counties; but they could not be sure of admittance there. Some principal gentlemen of that county, and members of the house of commons, were then there to persuade the country to submit to the ordinance of parliament; yet Mr.

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The news of the important advantage[a] before Worcester found the king at Chester, whither his majesty thought necessary to make a journey himself, as soon as he came to Shrewsbury, both to assure that city to his service, which was the key to Ireland, and to countenance the lord Strange (who, by the death of his father, became[b] earl of Derby) against some opposition he met with, on the behalf of the parliament. Here Crane, sent by prince Rupert, gave his majesty an account of that action; and presented him with the ensigns, which had been taken;

Hyde had kept an intelligence with the mayor of the town by a churchman who was a canon of a collegiate church there, and a dexterous and discreet person, who had been at Nottingham with him, and given him a full account of the humour and disposition of that people; and he had by his majesty's order sent him again thither, with such instructions and letters as were necessary for the negotiation. The first day's march was from Nottingham to Derby, in the middle way to which the army was drawn up, horse and foot, and was the first time his majesty had a view of them; and that day the lord Paget's regiment of foot increased the number; and the whole made so good an appearance, that all men were even wishing for the earl of Essex, and all fears were vanished. From Derby the king marched to Stafford, and gave order that no prejudice should be done to the earl of Essex his house or park at Chartley, which was in view of the way, and would otherwise have been pulled down and destroyed. Here Mr. Hyde received a letter from the canon of Shrewsbury, that the committee of parliament had left the town, and he believed there would not be the least pause in receiving the king. However the king would not declare which way he would march, till he had more assurance, and so sent Mr. Hyde to Shrewsbury, to give him speedy notice before he declined the way to Chester; and receiving from him the next day an account, that the town was well resolved and that the mayor, though an old humorous fellow, had prepared all things for his reception, the king came with the whole army to Shrewsbury before the end of September; prince Rupert, within few days after, marched on the Welsh side of Severn to Worcester, to countenance some levies of foot which were there preparing. Upon the king's coming to Shrewsbury, &c. *as in p.* 253. *l.* 22.

[a] advantage] victory

[b] became] became within few days

and informed him of the earl of Essex's being in Worcester; which made the king return[c] sooner to Shrewsbury than he intended, and before the earl of Derby was possessed of that power, which a little longer stay would have given him. BOOK VI. 1642.

Prince Rupert the same night, after his victory, finding the gross of the rebels' army to be within five or six miles, against which that city was in no degree tenable, though all the king's foot had been there, retired from Worcester on the Welsh side of the river, without any disturbance, into his quarters,[d] near Shrewsbury, and with all his prisoners, colonel Sandys only excepted, whom he left to die of his wounds there; the earl of Essex being so much startled with this[e] late defeat, that he advanced not in two days after; and then being surely informed, that he should find no resistance, he entered with his army into Worcester; using great severity to those citizens, who had been eminently inclined to the king's service, and sending the principal of them prisoners to London.

Upon the king's coming to Shrewsbury, there was a very great conflux of the gentry there, and the neighbouring counties,[f] which were generally well affected, and made great professions of duty to his majesty: some of them undertook to make levies of horse and foot, and performed it at their own charge. The town was very commodious in all respects, The king comes to Shrewsbury.

[c] return] to return

[d] without any disturbance, into his quarters,] *Thus in MS.*: without any disturbance, and with all his prisoners, (colonel Sandys only excepted, whom he charitably left to die of his wounds there,) into his quarters near Shrewsbury;

[e] this] his

[f] there, and the neighbouring counties,] of that and the neighbours,

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strong in its situation; and in respect of its neighbourhood to North Wales, and the use of the Severn, yielded excellent provisions of all kinds; so that both court and army were very well accommodated, only the incurable disease of want of money could not be assuaged in either. Yet whilst they sat still, it was not very sensible, much less importunate. The soldiers behaved themselves orderly, and the people were not inclined or provoked to complain of their new guests; and the remainder of the plate, which was brought from the universities, together with the small presents in money, which were made to the king by many particular persons, supplied the present necessary expenses very conveniently. But it was easily discerned, that, when the army should move, which the king resolved it should do with all possible expedition, the necessity of money would be very great, and the train of artillery, which is commonly a spunge that can hardly be filled,[g] was destitute of all things necessary[h] for motion. Nor was there any hope that it could march, till a good sum of money were assigned to it; some carriage-horses, and waggons, which were prepared for the service of Ireland, and lay ready at Chester, to be transported with the earl of Leicester, lieutenant of that kingdom, were brought to Shrewsbury, by his majesty's order, for his own train: and the earl's passionate labouring to prevent or remedy that application, with some other reasons, hindered the earl himself from pursuing that journey; and, in the end, deprived him of that province. But this seasonable

[g] that can hardly be filled,] that can never be filled or satisfied,

[h] necessary] which were necessary

addition to the train increased the necessity of money, there being more use of it thereby.

Two expedients were found to make such a competent provision for all wants, that they were at last broken through. Some person of that inclination had insinuated to the king, that, "if the Ro- "man[i] catholics, which that and the adjacent coun- "ties were well inhabited by, were secretly treated "with, a considerable sum of money might be raised "among them; but it must be carried with great "privacy, that no notice might be taken of it, the "parliament having declared so great animosities[k] "against them;" nor did it in that conjuncture concern the king less that it should be very secret, to avoid the scandal of a close conjunction with the papists, which was every day imputed to him. Upon many consultations how, and in what method, to carry on this design, the king was informed, "that "if he would depute a person, much trusted[l] by "him,[l] to that service, the Roman catholics would "trust him, and assign one or two of their body to "confer with him, and by this means the work "might be carried on." Hereupon the king sent for that person,[m] and told him this whole matter, as it is here set down, and required him to consult with such a person, whom he would send to him the next morning. The next morning[n] a person of

[i] Roman] *Not in MS.*

[k] animosities] animosity

[l] a person, much trusted by him,] *Originally in MS.* Mr. Hyde,

[m] sent for that person,] *Originally in MS.* sent one morning for Mr. Hyde,

[n] The next morning] *Thus originally in MS.*: he was surprised with the information, that that classis of men had made choice of him for their trust, for which he could imagine no reason, but that he had been often of counsel with

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quality, very[o] much trusted by all that party, came to him to confer upon that subject; and shewed a list of the names of all the gentlemen of quality and fortune of that religion, who[p] were all convict recusants, and[q] lived within those counties of Shropshire and Stafford. They[r] appeared to be a good number of very valuable men, on whose behalf he had only authority to conclude, though he believed that the method, they agreed on there, would be submitted to, and confirmed by that party[s] in all other places. He said, "they would by no means hearken to any "motion for the loan of money, for which they had "paid so dear, upon their serving the king in that "manner, in his first expedition against the Scots." It was in the end agreed upon, that the king should write to every one of them to pay him an advance of two or three years of such rent, as they were every year obliged to pay him,[t] upon the composition they had made with him for their estates; which would amount to a considerable sum of money. And these letters[u] were accordingly writ, and within ten or twelve days between four and five thousand pounds were returned to his majesty; which was a seasonable supply for his affairs.[x]

At his return to Shrewsbury, the king found as

some persons of quality of that profession, who yet knew very well, that he was in no degree inclined to their persuasion; he submitted to the king's pleasure, and the next morning &c.

[o] very] and very
[p] who] and who
[q] and] who
[r] They] Who
[s] party] people
[t] pay him,] pay to him,
[u] And these letters] Which letters
[x] for his affairs.] *In MS. B. from which this part of the History is taken, here follows an account of the rencounter before Worcester, (a description of which is given in page 235 from MS. C.) which will be found in the Appendix, G.*

much done towards his march, as he expected. And then the other expedient (which was hinted before) for money offered itself. There was a gentleman of a very good extraction, and of the best estate of any gentleman of that country,[y] who lived within four or five miles of Shrewsbury, and was[z] looked upon as a very prudent man, and had a very powerful influence upon that people, and was of undoubted affections and loyalty to the king, and to the government both in church and state: his eldest son[a] was a young gentleman of great expectation, and of excellent parts, a member of the house of commons, who had behaved himself there very well[b]. This gentleman intimated to a friend of his, "That, if his "father might be made a baron, he did believe he "might be prevailed with to present his majesty "with a good sum of money." It was proposed to the king, who had no mind[b] to embrace the proposition, his majesty taking occasion often to speak against "making merchandise of honour; how much "the crown suffered at present by the licence of "that kind, which had been used during the favour "of the duke of Buckingham; and that he had not "taken a firmer resolution against many things, "than against this particular expedient for[c] raising

[y] country,] *MS. adds:* one sir Richard Newport,

[z] and was] who was

[a] eldest son] *MS. adds:* Francis Newport

[b] who had behaved himself there very well.—who had no mind] *Thus originally in MS.:* had behaved himself very well there, and was then newly married to the daughter of the late earl of Bedford. This young gentleman was well acquainted with Mr. Hyde, and formerly spoke to him as if he wished his father might be made a baron; for which, he did believe, he might be prevailed with to present his majesty with a good sum of money. Mr. Hyde had spoken to the king of it, but had no mind &c.

[c] for] for the

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& money." However, after he returned from Chester, and found by the increase of his levies, and the good disposition all things were in, that he might in a short time be able to march, and in so good a condition, that he should rather seek the rebels, than decline meeting with them, if the indispensable want of money did not make his motion impossible; the merit and ability of the person, and the fair expectation from his posterity, he having two sons, both very hopeful, prevailed with his majesty to resume the same overture; and in few days it was perfected, and the gentleman[d] was made a baron; who presented the sum of six thousand pounds to his majesty; whereupon all preparations for the army were prosecuted with effect.[e]

As soon as the king came to Shrewsbury, he had despatched his letters and agents into Wales, Cheshire, and Lancashire, to quicken the levies of men which were making there,[f] and returned from Ches-

[d] and the gentleman] *Thus originally in MS.:* and sir Ri. Newport was made baron Newport of Ercall, and all preparations, &c.

[e] effect.] *The continuation of the History, according to MS. B. will be found in the Appendix, H.*

[f] making there,] *The following portion is here omitted from MS. C.* And finding that the parliament had been very solicitous and active in those counties of Cheshire and Lancashire, and that many of the gentry of those populous shires were deeply engaged in their service, and the loyal party so much depressed, that the house of commons had sent up an impeachment of high treason against the lord Strange, who being son and heir apparent of the earl of Derby, and possessed of all his father's fortune in present, was then looked upon as of absolute power over that people, and accused him, that he had, with an intent and purpose to subvert the fundamental laws and government of the kingdom of England, and the rights and liberties, and the very being of parliaments, and to set sedition between the king and his people at Manchester of Lancaster, and at several other places, actually, maliciously, rebelliously, and traitorously summoned and called together great num-

ter through the north part of Wales (where he found the people cordial to him, and arming themselves for

bers of his majesty's subjects; and invited, persuaded, and encouraged them to take up arms, and levy war against the king, parliament, and kingdom. That he had, in a hostile manner, invaded the kingdom, and killed, hurt, and wounded divers of his majesty's subjects; had set sedition betwixt the king and the people, and then was in open and actual rebellion against the king, parliament, and kingdom. And upon this impeachment a formal order passed both houses, (which was industriously published, and read in many churches of those counties,) declaring his treason, and requiring all persons to apprehend him; whereby not only the common people, who had obeyed his warrants, but his lordship himself, (who had only executed the commission of array, and the seditious party at the same time executing the ordinance of militia, some blows had passed, whereof one or two had died,) were more than ordinarily dismayed. His majesty himself leaving his household and army at Shrewsbury, went in person with his troop of guards only to Chester, presuming that his presence would have the same influence there, it had had in all other places, to compose the fears and apprehensions of all honest men, and to drive away the rest; which fell out accordingly: for being received and entertained with all demonstrations of duty by the city of Chester, those who had been most notably instrumental to the parliament, withdrew themselves, and the nobility and gentry, and indeed the common people, flocked to him; the former in very good equipage, and the latter with great expressions of devotion: yet in Cheshire Nantwich, and Manchester in Lancashire, made some shows by fortifying, and seditious discourses of resistance and disaffection, and into those two places the seditious persons had retired themselves. To the first, the lord Grandison was sent with a regiment of horse and some few dragooners, with the which, and his dexterous taking advantage of the people's first apprehensions, before they could take advice what to do, he so awed that town, that after one unskilful volley, they threw down their arms, and he entered the town, took the submission and oaths of the inhabitants for their future obedience; and having caused the small works to be slighted, and all the arms and ammunition to be sent to Shrewsbury, he returned to his majesty. For Manchester, the lord Strange, who had by his majesty's favour and encouragement recovered his spirits, undertook, without troubling his majesty farther northward, in a very short time to reduce that place, (which was not so fortunately performed, because not so resolutely pursued,) and to send a good body of foot to the king to Shrewsbury. So that his majesty, within a week, leaving all

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him) to Shrewsbury. The king's custom was in all counties, through which he passed, to cause the high sheriff to draw all the gentlemen and the most substantial inhabitants of those parts together, to whom (besides his caressing the principal gentlemen severally, familiarly, and very obligingly) he always spoke[g] something publicly, (which was afterwards printed,) telling them,

The substance of the king's speeches to the gentry and commonalty of the several counties through which he passed.

"That it was a benefit to him from the insolences "and misfortunes, which had driven him about, that "they had brought him to so good a part of his "kingdom, and to so faithful a part of his people. "He hoped, neither they nor he should repent their "coming together. He would do his part, that they "might not; and of them he was confident before "he came." He told them, "the residence of an "army was not usually pleasant to any place; and "his might carry more fear with it, since it might "be thought, (being robbed, and spoiled of all his "own, and such terror used to fright and keep all "men from supplying him,) he must only live upon "the aid and relief of his people." But he bid them "not be afraid;" and said, "he wished to God, "his poor subjects suffered no more by the inso-"lence and violence of that army raised against him, "though they had made themselves wanton with "plenty, than they should do by his; and yet he "feared he should not be able to prevent all dis-"orders; he would do his best; and promised them, "no man should be a loser by him, if he could help "it." He said, "he had sent for a mint, and would

parts behind him full of good inclinations or professions, returned through the northern parts of Wales, &c.

[g] spoke] spake

"melt down all his own plate, and expose all his "land to sale, or mortgage, that[h] he might bring "the least pressure upon them." However, he invited them "to do that for him, and themselves, for "the maintenance of their religion, and the law of "the land, (by which they enjoyed all that they "had,) which other men did against them;" he desired them, "not to suffer so good a cause to be lost, "for want of supplying him with that, which would "be taken from them, by those who pursued his "majesty with that violence. And whilst those ill "men sacrificed their money, plate, and utmost in-"dustry, to destroy the commonwealth, they would "be no less liberal to preserve it. He bid them[i] "assure themselves, if it pleased God to bless him "with success, he would remember the assistance "every particular man gave him to his advantage. "However it would hereafter (how furiously soever "the minds of some[k] men were now possessed) be "honour and comfort to them, that, with some "charge and trouble to themselves, they had done "their part to support their king, and preserve the "kingdom."

His majesty always took notice of any particular reports, which, either with reference to the public, or their private concerns, might make impression upon that people, and gave clear answers to them. With[l] this gracious and princely demeanour, it is hardly credible how much he won[m] upon the people; so that not only his army daily increased by volunteers, (for there was not a man pressed,) but

[h] that] that if it were possible
[i] bid them] bad them
[k] some] *Not in MS.*
[l] With] So that with
[m] won] wan

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such proportions of plate and money were voluntarily brought in, that the army was fully and constantly paid: the king having erected a mint at Shrewsbury, more for reputation than use, (for, for want of workmen and instruments, they could not coin a thousand pounds a week,) and causing all his own plate, for the service of his household, to be delivered there, made other men think, theirs was the less worth the preserving.

Shortly after the earl of Essex came to Worcester, he sent a gentleman (Fleetwood,[n] the same who had afterwards so great power in the army, but[o] then a trooper in his guards) to Shrewsbury, without a trumpet, or any other ceremony than a letter to the earl of Dorset; in which he said, "he was "appointed by the parliament, to cause a petition, "then in his hands, to be presented to his majesty; "and therefore desired his lordship to know his ma- "jesty's pleasure, when he would be pleased to re- "ceive it from such persons, as he should send over "with it." The earl of Dorset, (by his majesty's command, after it had been debated in council what answer to return) sent him word in writing, "that "the king had always been, and would be still, ready "to receive any petition from his two houses of par- "liament; and if the earl[p] had any such to be pre- "sented, if he sent it by any persons, who stood not "personally accused by his majesty[q] of high trea- "son, and excepted specially in all offers of pardon "made by him, the persons[r] who brought it should "be welcome; and the king would return such an

[n] Fleetwood,] one Fleetwood,
[o] but] though
[p] the earl] his lordship
[q] his majesty] him
[r] persons] person

"answer to it, as should be agreeable to honour and "justice." Whether this limitation as to messengers displeased them, (as it was afterwards said, that the messengers appointed to have delivered it were the lord Mandeville and Mr. Hambden, who, they thought, would have skill to make infusions into many persons then about his majesty; and the hopes of that access[s] being barred by that limitation and exception, they would not send any other,) or what other reason soever there was, the king heard no more of this petition, or any address of that nature, till he found, by some new printed votes and declarations, "that he was guilty of another breach of the "privilege of parliament, for having refused to re- "ceive their petition, except it were presented in "such a[t] manner as he prescribed: whereas they "alone were judges in what manner, and by what "persons, their own petitions should be delivered, "and he ought so to receive them." So[u] that petition, which is before set down in the very terms it passed both houses, was never delivered to his majesty.

The strength of the king's army at Shrewsbury.

There cannot be too often mention of the wonderful providence of God, that from that low despised condition the king was in at Nottingham, after the setting up his standard, he should be able to get men, money, or arms, so that,[x] within twenty days after his coming to Shrewsbury, he resolved to march, in despite of the enemy, even towards London; his foot, by this time, consisting of about six thousand; and his horse of two thousand; his train

[s] the hopes of that access] their access

[t] a] *Not in MS.*

[u] So] And so

[x] so that,] and yet,

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in very good order, commanded by sir John Heydon. And though this strength was much inferior to the enemy, yet as it was greater than any man thought possible to be raised, so all thought it sufficient to encounter the rebels. Besides that it was confidently believed, (and not without some grounds, upon [y] correspondence with some officers in the other army,) that, as soon as the armies came within any reasonable distance of each other, very many [z] soldiers would leave their colours, and come to the king; which expectation was confirmed by divers [a] soldiers, who every day dropped in from those forces; and, to make themselves welcome, told many stories of their fellows' resolutions, whom they had left behind.

And this must be confessed, that either by the care and diligence of the officers, or by the good inclinations and temper of the soldiers themselves, the army was in so good order and discipline, that, during the king's stay at Shrewsbury, there was not any remarkable disorder; [b] the country being very kind to the soldiers, and the soldiers just, and regardful to the country. And by the free loans and contributions of the gentlemen and substantial inhabitants, but especially by the assistance of the nobility, who attended, the army was so well paid, that there was not the least mutiny or discontent for want of pay; nor was there any cause; for they seldom failed every week, never went above a fortnight unpaid.

The greatest difficulty was to provide arms; of

[y] upon] of
[z] very many] that very many
[a] divers] some
[b] any remarkable disorder;] a disorder of name;

which indeed there was a wonderful scarcity, the king being exceedingly disappointed in his expectation of arms from Holland; a vessel or two having been taken by his own ships, under the command of the earl of Warwick; so that, except eight hundred muskets, five hundred pair of pistols, and two hundred swords, which came with the powder, landed[c] in Yorkshire, as is before mentioned, the king had none in his magazine; so that he was compelled to begin at Nottingham, and so in all places as he passed, to borrow the arms from the trained bands; which was done with so much wariness and caution, (albeit it was known that those arms would, being left in those hands, be employed against him, or at least be of no use to him,) that it was done rather with their consent, than by any constraint, and always with the full approbation of their commanders. And therefore in Yorkshire and Shropshire, where the gentlemen very unskilfully, though with good meaning, desired that the arms might still be left in the country men's hands, there was none of that kind of borrowing. But, in all places, the noblemen, and gentlemen of quality, sent the king such supplies of arms, out of their own armories, (which were very mean,) so that by all those[d] means together, the foot, all but three or four hundred, who marched without any weapon but a cudgel, were armed with muskets, and bags for their powder, and pikes; but, in the whole body, there was not a pikeman[e] had a corslet, and very few musketeers who had swords. Among the horse, the officers had their

[c] landed] which was landed

[d] all those] all these

[e] a pikeman] one pikeman

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full desire, if they were able to procure old backs, and breasts, and pots with pistols, or carabines, for their two or three first ranks, and swords for the rest; themselves (and some soldiers by their examples) having gotten, besides their pistols and swords, a short pole-axe.

The foot were divided into three brigades; the first commanded by sir Nicholas Byron, the second by colonel Harry Wentworth, the third[f] by colonel Richard Fielding, sir Jacob Ashley being major general, and commanding the foot immediately under the general. For, though general Ruthen, who came to the king some few days before he left Shrewsbury, was made field marshal, yet he kept wholly with the horse to assist prince Rupert: and sir Arthur Aston, of whose soldiery there was[g] a very great esteem, was made colonel general of the dragoons; which at that time, though consisting of two or three regiments, were not above eight hundred, or a thousand at the most. Most of the persons of quality,[h] except those whose attendance was near the king's own person, put themselves into the king's troop of guards, commanded by the lord Bernard Stewart; and made indeed so gallant a body, that, upon very[i] modest computation, the estate and revenue of that single troop, it was thought,[k] might justly be valued at least equal to all theirs, who then voted in both houses, under the name of the lords and commons of parliament, which[l] made and maintained that war. Their servants, under the command

[f] the third] and the third
[g] there was] there was then
[h] quality,] honour and quality,
[i] very] a very
[k] it was thought,] *Not in MS.*
[l] which] and so

of sir William Killigrew, made another full troop, and always marched with their lords and masters.

1642. The king having formed an army, marches from Shrewsbury towards London.

In this equipage the king marched from Shrewsbury, on the twelfth of October, to Bridgenorth, never less baggage attending a royal army, there being not one tent, and very few waggons belonging to the whole train; having in his whole army not one officer of the field who was a papist, except sir Arthur Aston, if he were one; and very few common soldiers of that religion. However the parliament, in all their declarations, and their clergy much more in their sermons, assured the people, "that the king's army consisted only of papists," whilst themselves entertained all of that religion, that they could get; and very many, both officers and soldiers, of that religion engaged with them; whether it was that they really believed, that that army did desire liberty of conscience for all religions, as some of the chief of them pretended, or that they desired to divide themselves for communication of intelligence, and interest. And here it is not fit to forget one particular, that, when the committee of parliament appointed to advance the service upon the proposition for plate, and horses, in the county of Suffolk, sent word to the house of commons, "that some papists offered to lend money "upon those propositions, and desired advice whe-"ther they should accept of it," it was answered, "that if they offered any considerable sum, where-"by it might be conceived to proceed from a real "affection to the parliament, and not out of policy "to bring themselves within their protection, and "so to excuse their delinquency, it should be ac-"cepted of."

BOOK VI.

1642.

When the king was ready for his march, there was some difference of opinion which way he should take; many were of opinion that he should march towards Worcester, where the earl of Essex still remained; those countries were thought well-affected to the king; where his army would be supplied with provisions, and increased in numbers; and that no time should be lost in coming to a battle; because the longer it was deferred, the stronger the earl would grow, by the supplies which were every day sent to him from London; and he had store of arms with him to supply all defects of that kind. However it was thought more counsellable to march directly towards London, it being morally sure, that the earl of Essex would put himself in their way. The king had much confidence in his horse, (his nephew prince Rupert being in the head of them,) which were fleshed by their success at Worcester; and if he had made his march that way, he would have been entangled in the inclosures, where his horse would have been less useful; whereas there were many open grounds[m] near the other way, much fitter for an engagement. And so, about the middle of October, the king marched from Shrewsbury, and quartered that night at Bridgenorth, ten miles from the other place, where there was a rendezvous of the whole army, which appeared very cheerful; and thence[n] to Wolverhampton, Bromicham, and Killingworth, a house of the king's, and a very noble seat, where the king rested one day; where the lord chief justice Heath, who was made chief justice for that purpose, (Bramston, a man o

[m] open grounds] great campanias

[n] thence] so

great learning and integrity, being, without any purpose of disfavour, removed from that office, because he stood bound by recognizance to attend the parliament, upon an accusation depending there against him,) begun [o] to sit upon a commission of oyer and terminer, to attaint the earl of Essex, and many other persons who were in rebellion, of high treason.

Some days had passed without any notice of that army; some reporting that it remained still at Worcester; others, that they were marched the direct way from thence towards London. But intelligence came from London, "that very many officers of "name, and command in the parliament army, "had [p] undergone that service with a full resolution "to come to the king as soon as they were within "any distance; and it was wished, that the king "would send a proclamation into the army itself, "and to offer pardon to all who would return to "their obedience." A [q] proclamation was prepared accordingly, and all circumstances resolved upon, that a herald should be sent to proclaim it in the head of the earl's army, when it should be drawn up in battle. But that, and many other particulars, prepared and resolved upon, were forgotten, or omitted at the time appointed, which would not admit any of those formalities.

Faction begun in the king's army.

When the whole army marched together, there was quickly discovered an unhappy jealousy, and division between the principal officers, which grew quickly into a perfect faction between the foot and

[o] begun] began [p] had] *Not in MS.* [q] A] And a

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the horse. The earl of Lindsey was general of the whole army by his commission, and thought very equal to it. But when prince Rupert came to the king, which was after the standard was set up, and received a commission to be general of the horse, which, all men knew, was designed for him,[r] there was a clause inserted into it, exempting[s] him from receiving orders from any body but from the king himself; which, upon the matter, separated all the horse from any dependence upon the general, and had other ill consequences in it: for when the king at midnight, being in his bed, and receiving intelligence of the enemy's motion, commanded the lord Falkland, his principal secretary of state, to direct prince Rupert, what he should do, his highness[t] took it very ill, and expostulated with the lord Falkland, for giving him orders. He could[u] not have directed his passion against any man, who would feel or regard it less. He[x] told him, "that "it was his office to signify what the king bid[y] "him; which he should always do; and that his "highness,[z] in neglecting it, neglected the king;" who did neither the prince nor his own service any good, by complying in the beginning with his rough nature[a]. But the king was so indulgent to him, that he took his advice in all things relating to the army, and upon the deliberation[b] of their march, and the figure of the battle they resolved to fight in

[r] for him,] to him,
[s] exempting] which exempted
[t] his highness] he
[u] He could] But he could
[x] He] And he
[y] bid] bad
[z] his highness,] he,
[a] rough nature] *MS. adds:* which rendered him very ungracious to all men.
[b] and upon the deliberation] and so upon consideration

with the enemy, he concurred entirely with prince Rupert's advice, rejecting[c] the opinion of the general, who preferred the order he had learned under prince Maurice, and prince Harry, with whom he had served at the same time, when the earl of Essex and he, both of them, had[d] regiments. The reservedness[e] of the prince's nature, and the little education he then[f] had in courts, made him unapt to make acquaintance with any of the lords, who were thereby likewise[g] discouraged from applying themselves to him; whilst some officers of the horse were well pleased to observe that strangeness, and fomented it; believing their credit would be the greater with the prince, and desiring[h] that no other person should have any credit with the king. So the war was scarce begun, when there appeared such faction and designs in the army, which wise men looked upon as a very evil presage; and the inconveniences, which flowed from thence, gave the king great trouble in a short time after[i].

The earl of Essex marches after the king.

Within two days after the king marched from Shrewsbury, the earl of Essex moved from Worcester to attend him, with an army far superior in number to the king's; the horse and foot being completely armed, and the men very well exercised; and the whole equipage (being supplied out of the king's magazines) suitable to an army set forth at the charge of a kingdom. The earl of Bedford had the name of general of the horse, though that com-

[c] rejecting] and rejected

[d] both of them, had] had both]

[e] reservedness] uneasiness

[f] then] *Not in MS.*

[g] thereby likewise] likewise thereby

[h] desiring] desired

[i] a short time after.] *The account of the battle of Edge-hill, as given in MS. B. will be found in the Appendix, I.*

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mand principally depended upon sir William Balfour. Of the nobility he had with him the lords Kimbolton, Saint-John's, Wharton, Roberts, and the lords[k] Rochford, and Fielding, (whose fathers, the earls of Dover, and Denbigh, charged as volunteers in the king's guards of horse,) and many gentlemen of quality; but his train was so very great, that he could move but in slow marches. So that the two armies, though they were but twenty miles asunder, when they first set forth, and both marched the same way, gave[l] not the least disquiet in ten days' march to each other; and in truth, as it appeared afterwards, neither army knew where the other was.

The king by quick marches, having seldom rested a day in any place, came, on Saturday the twenty-second of October, to Edgcot, a village in Northamptonshire, within four miles of Banbury, in which the rebels had a garrison.[m] As soon as he came thither, he called a council of war, and having no intelligence that the earl of Essex was within any distance, it was resolved "the king and the army "should rest in those quarters the next day, only "that sir Nicholas Byron should march with his "brigade, and attempt the taking in of Banbury." With[n] this resolution the council broke[o] up, and all men went to their quarters, which were at a great distance, without any apprehension of an enemy. But that night, about twelve of the clock, prince Rupert sent the king word, "that the body "of the rebels' army was within seven or eight

[k] and the lords] *Not in MS.*
[l] gave] they gave
[m] a garrison.] *Originally in MS.* a very strong garrison.
[n] With] And with
[o] broke] brake

" miles, and that the head quarter was at a village " called Keinton on the edge of Warwickshire; and " that it would be in his majesty's power, if he " thought fit, to fight a battle the next day;" which his majesty liked well, and therefore immediately despatched orders to cross the design for Banbury, " and that the whole army should draw to a ren- " dezvous on the top of Edge-hill;" which was a high [p] hill about two miles from Keinton, where the head quarter [q] of the earl was, which [r] had a clear prospect of all that valley.

The battle of Keinton or Edge-hill.

In the morning, being Sunday the twenty-third of October, when the rebels were beginning their march, (for they suspected not the king's forces to be near,) they perceived a fair body of horse on the top of that hill, and easily concluded their march was not then to be far. It is certain they were exceedingly surprised, having never had any other confidence of their men, than by the disparity they concluded would be still between their numbers and the king's, the which they found themselves now deceived in. For two of their strongest and best regiments of foot, and one regiment of horse, was a day's march behind with their ammunition. So that, though they were still superior in number, yet that difference was not so great as they promised themselves. However, it cannot be denied that the earl, with great dexterity, performed whatsoever could be expected from a wise general. He chose that ground which best liked him. There was between the hill and the town a fair campaign, save that near the town it was narrower, and on the

[p] high] very high [q] quarter] quarters [r] which] and which

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right hand some hedges, and inclosures: so that there he placed musketeers, and not above two regiments of horse, where the ground was narrowest; but on his left wing he placed a body of a thousand horse, commanded by one Ramsey a Scotsman; the reserve of horse, which was a good one, was commanded by the earl of Bedford, general of their horse, and sir William Balfour with him. The general himself was with the foot, which were ordered as much to advantage as might be. And in this posture they stood from eight of the clock in the morning.

On the other side, though prince Rupert was early in the morning with the greatest part of the horse on the top of the hill, which gave the enemy[s] the first alarm of the necessity of fighting[t], yet the foot were quartered at so great a distance, that many regiments marched seven or eight miles to the rendezvous: so that it was past one of the clock, before the king's forces marched down the hill; the general himself alighted at the head of his own regiment of foot, his son the lord Willoughby being next to him, with the king's regiment of guards, in which was the king's standard, carried by sir Edmund Verney, knight marshal. The king's right wing of horse was commanded by prince Rupert, the left wing by Mr. Wilmot, commissary general of the horse, who was assisted by sir Arthur Aston with most of the dragoons, because that left wing was opposed to the enemy's right, which had the shelter of some hedges lined with musketeers: and the reserve was committed to sir John Byron, and

[s] the enemy] *Not in MS.* [t] fighting] *MS. adds:* to the other party,

consisted indeed only of his own regiment. At the entrance into the field, the king's troop of guards, either provoked by some unseasonable scoffs among the soldiery, or out of desire of glory, or both, besought the king, "that he would give them leave "to be absent that day from his person, and to "charge in the front among the horse;" the which his majesty consented to. They desired prince Rupert "to give them that honour which belonged to "them;" who accordingly assigned them the first place; which, though they performed their parts with admirable courage, may well be reckoned among the oversights of that day.

It was near three of the clock in the afternoon, before the battle begun;[u] which, at that time of the year, was so late, that some were of opinion, "that "the business should be deferred till the next day." But against that there were many objections; "the "king's numbers could not increase, the enemy's "might;" for they had not only their garrisons, Warwick, Coventry, and Banbury, within distance, but all that country so devoted to them, that they had all provisions brought to them without the least trouble; whereas, on the other side, the people were so disaffected to the king's party, that they had carried away, or hid, all their provisions, insomuch as there was neither meat for man or horse; and the very smiths hid themselves, that they might not be compelled to shoe horses, of which in those stony ways there was great need. This proceeded not from any radical malice, or disaffection to the king's cause, or his person; though it is true, that circuit

[u] begun;] began;

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in which this battle was fought, being very much in the interest of[x] the lord Say and the lord Brooke, was the most eminently corrupted of any county in England; but by the reports, and infusions which the other very diligent party had wrought into the people's belief; "that the cavaliers were of a fierce, "bloody, and licentious disposition, and that they "committed all manner of cruelty upon the inhabi-"tants of those places where they came, of which "robbery was the least;" so that the poor people thought there was no other way to preserve their goods, than by hiding them out of the way; which was confessed by them, when they found how much that information had wronged them, by making them so injurious to their friends. And therefore where the army rested a day they found much better entertainment at parting, than when they came; for it will not be denied, that there was no person of honour or quality, who paid not punctually and exactly for what they had; and there was not the least violence or disorder among the common soldiers in their march, which scaped exemplary punishment; so that at Bromicham, a town so generally wicked, that it had risen upon small parties of the king's, and killed or taken them prisoners, and sent them to Coventry, declaring a more peremptory malice to his majesty than any other place, two soldiers were executed, for having taken some small trifle of no value out of a house, whose owner was at that time in the rebels' army. So strict was the discipline in this army; when the other, without control, practised all the dissoluteness imagin-

[x] very much in the interest of] between the dominions of

able. But the march was so fast, that the leaving a good reputation behind them, was no harbinger to provide for their better reception in the next quarters. So that their wants were so great, at the time when they came to Edge-hill, that there were very many companies of the common soldiers, who had scarce eaten bread in eight and forty hours before. The only way to cure this was a victory; and therefore the king gave the word, though it was late, the enemy keeping their ground to receive him without advancing at all. BOOK VI. 1642.

In this hurry, there was an omission of somewhat, which the king intended to have executed before the beginning of the battle. He had caused many proclamations to be printed of pardon to all those soldiers who would lay down their arms, which he resolved, as is said before, to have sent by a herald to the earl of Essex, and to have found ways to have scattered and dispersed them in that army, as soon as he understood they were within any distance of him. But all men were now so much otherwise busied, that it was not soon enough remembered; and when it was, the proclamations were not at hand; which, by that which follows, might probably have produced a good effect. For as the right wing of the king's horse advanced to charge the left wing, which was the gross of the enemy's horse, sir Faithful Fortescue, (who, having his fortune and interest in Ireland, was come[y] out of that kingdom to hasten supplies thither, and had a troop of horse raised for him for that service; but as many other

[y] who, having his fortune and interest in Ireland, was come] whose fortune and interest being in Ireland, he had come

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of those forces were, so his troop was likewise disposed into that army, and he was now major to sir William Waller; he) with his whole troop advanced from the gross of their horse, and discharging all their pistols on the ground, within little more than carabine shot of his own body, presented himself and his troop to prince Rupert; and immediately, with his highness, charged the enemy. Whether this sudden accident, as it might very well, and the not knowing how many more were of the same mind, each man looking upon his companion with the same apprehension as upon the enemy, or whether the terror of prince Rupert, and the king's horse, or all together, with their own evil consciences, wrought upon them, I know not, but that whole wing, having unskilfully discharged their carabines and pistols into the air, wheeled about, the king's horse[z] charging in the flank and rear, and having thus absolutely routed them, pursued them flying; and had the execution of them above two miles.

The left wing, commanded by Mr. Wilmot, had as good success, though they were to charge in worse ground, among hedges, and through gaps and ditches, which were lined with musketeers. But sir Arthur Aston, with great courage and dexterity, beat off those musketeers with his dragoons; and then the right wing of their horse was as easily routed and dispersed as their left, and those followed the chase as furiously as the other. The reserve seeing none of the enemy's horse left, thought there was nothing more to be done, but to pursue those that fled; and could not be contained by their com-

[z] the king's horse] our horse

manders; but with spurs, and loose reins, followed the chase, which their left wing had led them. And by this means, whilst most men thought the victory unquestionable, the king was in danger of the same fate which his predecessor Henry the Third had[a] at the battle of Lewes against his barons; when his son the prince, having routed their horse, followed the chase so far, that, before his return to the field, his father was taken prisoner; and so his victory served only to make the misfortunes of that day the more intolerable. For all the king's horse having thus left the field, many of them only following the execution, others intending the spoil in the town of Keinton, where all the baggage was, and the earl of Essex's own coach, which was taken, and brought away; their reserve, commanded by sir William Balfour, moved up and down the field in good order, and marching towards the king's foot pretended to be friends, till observing no horse to be in readiness to charge them, they[b] brake in upon the foot, and did great execution. Then was the general the earl of Lindsey, in the head of his regiment, being on foot, shot in the thigh; with which he fell, and was presently encompassed with[c] the enemy; and his son, the lord Willoughby, piously endeavouring the rescue of his father, taken prisoner with him. Then was the standard taken, (sir Edmund Verney, who bore it, being killed,) but rescued again by captain John Smith, an officer of the lord Grandison's regiment of horse, and by him brought off. And if those horse had bestirred themselves, they might with little difficulty have[d] destroyed, or taken pri-

[a] had] felt
[b] they] *Not in MS.*
[c] with] by
[d] have] *Omitted in MS.*

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soner, the king himself, and his two sons, the prince of Wales[e] and the duke of York, being with fewer than one hundred horse, and those without officer or command, within half musket shot of that body, before he suspected them to be enemies.

When prince Rupert returned from the chase, he found this great alteration in the field, and his majesty himself with few noblemen, and a small retinue about him, and the hope of so glorious a day quite vanished. For though most of the officers of horse were returned, and that part of the field covered again with the loose troops, yet they could not be persuaded, or drawn to charge either the enemy's reserve of horse, which alone kept the field, or the body of their foot, which only kept their ground. The officers pretending, "that their soldiers were "so dispersed, that there were not ten of any troop "together;" and the soldiers, "that their horses "were so tired, that they could not charge." But the truth is, where many soldiers of one troop or regiment were rallied together, there the officers were wanting; and where the officers were ready, there the soldiers were not together; and neither officers or soldiers desired to move without those who properly belonged to them. Things had now so ill an aspect, that many were of opinion, that the king should leave the field, though it was not easy to advise whither he should have gone; which if he had done, he had left an absolute victory to those, who even at this time thought themselves overcome. But the king was positive against this[f] advice, well knowing, that as that army was raised by his person

[e] of Wales] *Not in MS.* [f] this] that

and presence only, so it could by no other means be kept together; and he thought it unprincely, to forsake them who had forsaken all they had to serve him: besides, he observed the other side looked not as if they thought themselves conquerors; for that reserve, which did so much mischief before, since the return of his horse, betook themselves to a fixed station between their foot, which at best could but be thought to stand their ground, which two brigades of the king's did with equal courage, and gave equal volleys; and therefore he tried all possible ways to get the horse to charge again; easily discerning by some little attempts which were made, what a notable impression a brisk one would have made upon the enemy. And when he saw it was not to be done, he was content with their only standing still. Without doubt, if either party had known the constitution of the other, they had not parted so fairly; and, very probably, which soever had made a bold offer, had compassed his end upon his enemy. This made many believe, though the horse vaunted themselves aloud to have done their part, that the good fortune of the first part of the day, which well managed would have secured the rest, was to be imputed rather to their enemy's want of courage, than to their own virtue, (which, after so great a victory, could not so soon have forsaken them,) and to the sudden and unexpected revolt of sir Faithful Fortescue with a whole troop, no doubt much to the consternation of those he left; though they had not[g] so good fortune as they deserved; for by the negligence of not throwing away their orange-

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[g] though they had not] which had not

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tawny scarfs, which they all wore as the earl of Essex's colours, and being immediately engaged in the charge, many of them, not fewer than seventeen or eighteen, were suddenly killed by those to whom they joined themselves.

In this doubt of all sides, the night, the common friend to wearied and dismayed armies, parted them; and then the king caused his cannon, which were nearest the enemy's,[h] to be drawn off; and with his whole forces himself spent the night in the field, by such a fire as could be made of the little wood, and bushes which grew thereabouts, unresolved what to do the next morning; many reporting, "that the "enemy was gone:" but when the day appeared, the contrary was discovered; for then they were seen standing in the same posture and place in which they fought, from whence the earl of Essex, wisely, never suffered them to stir all that night; presuming reasonably, that if they were drawn off never so little from that place, their numbers would lessen, and that many would run away; and therefore he caused all manner of provisions, with which[i] the country supplied him plentifully, to be brought thither to them for their refreshment,[k] and reposed himself with them in the place; besides, that night he received a great addition of strength, not only by rallying those horse and foot, which had run out of the field in the battle, but by the arrival of colonel Hambden, and colonel Grantham, with two thousand fresh foot, (which were reckoned among the best of the army,) and five hundred horse, which

[h] enemy's,] enemy,
[i] with which] of which
[k] refreshment,] repast,

marched a day behind the army for the guard of their ammunition, and a great part of their train, not supposing there would have been any action that would have required their presence. All the advantage this seasonable recruit brought them, was to give their old men so much courage as to keep the field, which it was otherwise believed, they would hardly have been persuaded to have done. In the other army,[1] after a very cold night spent in the field, without any refreshment of victual, or provision for the soldiers, (for the country was so disaffected, that it not only not sent in provisions, but soldiers,[m] who straggled into the villages for relief, were knocked in the head by the common people,) the king found his troops very thin; for though, by conference with the officers, he might reasonably conclude, that there were not many slain in the battle, yet a third part of his foot were not upon the place, and of the horse many missing; and they that were in the field were so tired with duty, and weakened with want of meat, and shrunk up with the cruel cold of the night, (for it was a terrible frost, and there was no shelter of either tree or hedge,) that though they had reason to believe, by the standing still of the enemy, whilst a small party of the king's horse, in the morning, took away four pieces of their cannon very near them, that any offer towards a charge, or but marching towards them, would have made a notable[n] impression in them, yet there was so visible an averseness from it in most officers, as well as soldiers, that the king thought not fit to make the attempt; but con-

[1] In the other army,] *Not in MS.*

[m] soldiers,] many soldiers,

[n] notable] very notable

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tented himself to keep his men in order, the body of horse facing the enemy upon the field where they had fought.

Towards noon the king resolved to try that expedient, which was prepared for the day before; and sent sir William le Neve, Clarencieux king at arms, to the enemy, with his proclamation of pardon to such as would lay down arms; believing, though he expected then little benefit by the proclamation, that he should, by that means, receive some advertisement of the condition of the army, and what prisoners they had taken, (for many persons of command and quality were wanting,) giving him order likewise to desire to speak with the earl of Lindsey, who was known to be in their hands. Before sir William came to the army, he was received by the out-guards, and conducted, with strictness, (that he might say or publish nothing among[o] the soldiers,) to the earl of Essex; who, when he offered to read the proclamation aloud, and to deliver the effect of it, that he might be heard by those who were present, rebuked him, with some roughness, and charged him, "as he loved his life, "not to presume to speak a word to the soldiers;" and, after some few questions, sent him presently back well guarded through the army, without any answer at all. At his return he had so great and feeling a sense of the danger he had passed, that he made little observation of the posture or numbers of the enemy. Only he seemed to have seen, or apprehended so much trouble and disorder in the faces of the earl of Essex, and the principal officers

[o] among] amongst

about him, and so much dejection in the common soldiers, that they looked like men who had no farther ambition, than to keep what they had left. He brought word of the death of the earl of Lindsey; who, being carried out of the field a prisoner, into a barn of the next village, for want of a surgeon, and such accommodations as were necessary, within few hours died with the loss of blood, his wound not being otherwise mortal or dangerous. This was imputed to the inhumanity of the earl of Essex, as if he had purposely neglected, or inhibited the performing any necessary offices to him, out of the insolence of his nature, and in revenge of some former unkindnesses, which [p] had passed between them. But, I presume, it may be with more justice attributed to the hurry and distraction of that season, when, being so unsecure of their friends, they had no thoughts vacant for their enemies. For it is not to be denied at the time when the earl of Lindsey was taken prisoner, the earl of Essex thought himself in more danger; and among his faults want of civility and courtesy was none. [q]

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[p] which] *Not in MS.*

[q] courtesy was none.] *The following portion from MS. C. which connects this part of the History with page* 292, *line* 18, *is here omitted. The intermediate part, printed in the text, is taken from MS. B.* The loss of the general was a great grief to the army, and, generally, to all who knew him; for he was a person of great honour, singular courage, and of an excellent nature. He took little delight in the office of general from the time that prince Rupert came, finding his highness to pass him by too much in his command; yet having so much reverence to the king's sister's son, and so tender a regard of the present service, that he seemed only to his friends to take notice of it; and seeing the battle that day set without advising with him, and in a form that he liked not, he said, since he was not fit to be a general, he would die a colonel in the head of his regiment; and was as good as his word. There were more lost of the king's

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The number of the slain, by the testimony of the ministers,[r] and others of the next parish, who took care of[s] the burying of the dead, and which was the only computation that could be made, amounted to above five thousand; whereof two parts were conceived to be of those of the parliament party, and not above a third part[t] of the king's. Indeed the loss of both sides was so great, and so little of triumph appeared in either, that the victory could scarce be imputed to the one or the other. Yet the king's keeping the field, and having the spoil of it, by which many persons of quality, who had lain wounded in the field, were preserved, his pursuing afterwards the same design he had when he was diverted to the battle, and succeeding in it, (which shall[u] be touched anon,) were greater ensigns of victory on that side, than taking[x] the general prisoner, and the taking the standard, which was likewise recovered, were on the other. Of the king's the principal persons, who were lost, were the earl of Lindsey, general of the army, the lord Stewart,[y]

side of note; the lord Aubigney, brother to the duke of Richmond, a young man of great expectation, who was killed in the charge with the left wing of horse, in which he commanded a troop; where there were so few lost, that it was believed that he fell by his own men, not without the suspicion of an officer of his own; and he was the only person of name or command who perished of the horse. Among the foot, many good officers were lost, and amongst them, sir Edward Verney was the chief, who that day carried the king's standard, a very honest gentleman, and an old true servant of the king's, of which he had so very few just to him, that that single person could be ill spared. There fell two or three lieutenant colonels, and some good officers of inferior quality. Prisoners taken by the enemy were, &c.

[r] ministers,] minister,
[s] of] for
[t] part] *Not in MS.*
[u] which shall] as shall
[x] taking] the taking
[y] lord Stewart,] lord George Stewart,

lord Aubigney, son to the duke of Lenox, and brother to the then duke of Richmond and Lenox, sir Edmund Verney, knight marshal of the king's horse, and standard bearer, and some others of less name, though of great virtue, and good quality. 1642.

A character of the earl of Lindsey, the king's general.

The earl of Lindsey was a man of very noble extraction, and inherited a great fortune from his ancestors; which though he did not manage with so great care, as if he desired much to improve, yet he left it in a very fair condition to his family, which more intended the increase of it. He was a man of great honour, and spent his youth and vigour of his age in military actions and commands abroad; and albeit he indulged to himself great liberties of life, yet he still preserved a very good reputation with all men, and a very great interest in his country, as appeared by the supplies he and his son brought to the king's army; the several companies of his own regiment of foot being commanded by the principal knights and gentlemen of Lincolnshire, who engaged themselves in the service principally out of their personal affection to him. He was of a very generous nature, and punctual in what he undertook, and in exacting what was due to him; which made him bear that restriction so heavily, which was put upon him by the commission granted to prince Rupert, and by the king's preferring the prince's opinion, in all matters relating to the war, before his. Nor did he conceal his resentment: the day before the battle, he said to some friends, with whom he had used freedom, "that[z] he did not look upon himself as general;

[z] before the battle,—that] *Originally in MS.*: before the battle, the earl of Dorset and Mr. Hyde conferred with him

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" and therefore he was resolved, when the day of " battle should come, that he would be in the head " of his regiment as a private colonel, where he " would die." He was carried out of the field to the next village; and if he could then have procured surgeons, it was thought his wound would not have proved mortal[a]. And as soon as the other army was composed by the coming on of the night, the earl of Essex, about midnight, sent sir William Balfour, and some other officers, to see him, and to offer him all offices, and meant himself to have visited him. They found him upon a little straw in a poor house, where they had laid him in his blood, which had run from him in great abundance, no surgeon having been yet with him; only he had great vivacity in his looks; and told them, " he was " sorry to see so many gentlemen, some whereof " were his old friends, engaged in so foul a rebel- " lion:" and principally directed his discourse to sir William Balfour, whom he put in mind of " the " great obligations he had to the king; how much " his majesty had disobliged the whole English na- " tion by putting him into the command of the " Tower; and that it was the most odious ingrati- " tude in him to make him that return." He wished

together, when he used great freedom, as to friends he loved well, and said, " that &c.

[a] proved mortal.] *Thus continued in MS. B.* And it was imputed to the earl of Essex's too well remembering former grudges, that he never sent any surgeon to him, nor performed any other offices of respect towards him; but it is most certain that the disorder the earl of Essex himself was in at that time, by the running away of the horse, and the confusion he saw the army in, and the plundering the carriages in the town where the surgeons were to attend, was the cause of all the omissions of that kind. And as soon &c.

them to tell my lord Essex, "that he ought to cast "himself at the king's feet to beg his pardon; which "if he did not speedily do, his memory would be "odious to the nation;" and continued this kind of discourse with so much vehemence, that the officers by degrees withdrew themselves; and prevented the visit the earl of Essex intended him, who only sent the best surgeons to him; but [b] in the very opening of his wounds he [c] died before the morning, only upon the loss of blood. He had very many friends, and very few enemies; and died generally lamented.

The lord Aubigney was a gentleman of great hopes, of a gentle and winning disposition, and of very clear courage: he was killed in the first charge with the horse; where, there being so little resistance, gave occasion to suspect that it was done by his own lieutenant, who was a Dutchman, and had not [d] been so punctual in his duty, but that he received some reprehension from his captain, which he murmured at. His body was brought off, and buried at Christ-church in Oxford; his two younger brothers, the lord John and the lord Bernard Stewart, were in the same battle, and were afterwards both killed [e] in the war, and his only son is now duke of Richmond. Sir Edmund Verney hath been mentioned before; [f] he was a person of great honour and courage, and lost his life in that charge, when Balfour, with that reserve of horse, which had been so long undiscerned, broke into those regiments; but his body was not found.

[b] but] who

[c] he] *Not in MS.*

[d] was a Dutchman, and had not] being a Dutchman, had not

[e] afterwards both killed] both killed afterwards

[f] before;] before upon his discourse at Nottingham, which was very ominous.

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Of the parliament party that perished, the lord Saint-John's[g] of Bletnezo, and Charles Essex, were of the best quality. The last had been bred up a page under the earl of Essex, who afterwards, at his charge, preferred him to a command in Holland; where he lived with very good reputation, and preserved the credit of his decayed family; and as soon as the earl unfortunately accepted this command, he thought his gratitude obliged him to run the fortune of his patron, and out of pure kindness to the person of the earl, as many other gentlemen did, engaged himself against the king without any malice or rebellion in his heart towards the crown. He had the command of a regiment of foot, and was esteemed the best and most expert officer of the army, and was killed by a musket shot in the beginning of the battle. The lord Saint-John's[g] was eldest son to the earl of Bullingbroke, and got himself so well beloved by the reputation of his[i] courtesy and civility, which he expressed towards all men, that though his parts of understanding were very ordinary at best, and his course of life licentious and very much depraved, he got credit enough, by engaging the principal gentlemen of Bedfordshire and Hertfordshire to be bound for him, to contract a debt of fifty or threescore thousand pounds; for the payment whereof the fortune of the family was not engaged, nor in his power to engage. So that the clamour of his debts growing importunate, some years before the rebellion, he left the kingdom, and fled into France; leaving his vast debt to be paid by his sureties, to the utter ruin of

[g] Saint-John's] Saint-John
[h] Saint-John's] Saint-John
[i] his] *Not in MS.*

many families, and the notable impairing of others. In the beginning of the parliament, the king was prevailed with to call him to the house of peers, his father being then alive, upon an assurance, "that "by his presence and liberty, which could by no "other way be secured, means would be found out "to pay his debts, and free so many worthy persons "from their engagements: besides that the times "being like to be troublesome, the king might be "sure of a faithful servant, who would always ad-"vance his service in that house." But the king had very ill fortune in conferring those graces, nor was his service more passionately and insolently opposed by any men in that house than by those, who upon those professions were advanced [k] by him from the condition of commoners. And this gentleman, from the first hour of his sitting in that house by the king's so extraordinary grace, was never known to concur in any one vote for the king's service, that received any opposition: and, as soon as it was in his power, he received a commission with the first to command a troop of horse against him, in which he behaved himself so ill, that he received some wounds in running away; and being taken prisoner, died before the next morning, without any other signs of repentance, than the canting words, "that "he did not intend to be against the king, but "wished him all happiness:" so great an influence the first seeds of his birth [l] had upon his nature, that how long soever they were concealed, and seemed even buried in a very different breeding and conversation, they sprung up, and bore the same

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[k] advanced] redeemed

[l] birth] *MS. adds:* and mutinous family

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fruit upon the first occasion. And it was an observation of that time, that the men of most licentious lives, who appeared to be without any sense of religion, or reverence to virtue, and the most unrestrained by any obligations of conscience, betook themselves to that party, and pretended an impulse[m] of religion out of fear of popery; and, on the other side, very many persons of quality, both of the clergy and laity, who had suffered under the imputation of puritanism, and did very much dislike the proceedings of the court, and opposed them upon all occasions, were yet so much scandalized at the very approaches to rebellion, that they renounced all their old friends, and applied themselves with great resolution, courage, and constancy to the king's service, and continued in it to the end, with all the disadvantages it was liable to.

Prisoners taken by the enemy were,[n] the lord Willoughby, hastily and piously endeavouring the rescue of his father; sir Thomas Lunsford, and sir Edward Stradling, both colonels; and sir William Vavasour, who commanded the king's regiment of guards under the lord Willoughby; and some other inferior commanders. There were hurt, sir Jacob Ashley, and sir Nicholas Byron, and more dangerously, colonel Charles Gerrard, who, being shot in the thigh, was brought off the field without any hopes of life, but recovered to act a great part afterwards in the war; sir George Strode, and some other gentlemen who served among the foot; for of the horse there was not an officer of name, who received a wound,

[m] impulse] impulsion

[n] Prisoners taken by the enemy were,] Prisoners were taken by the enemy,

the lord Aubigney only excepted; so little resistance did that part of the enemy make. Of the rebels there were slain, besides the lord Saint-John's,[o] colonel Charles Essex, the soldier of whom they had the best opinion, and who had always, till this last action, preserved a good reputation in the world, which was now the worse, over and above the guilt of rebellion, by his having sworn to the queen of Bohemia, by whose intercession he procured leave from the prince of Orange to go into England, "that he "would never serve against the king:" and many other of obscure names, though officers of good command. There were a good number of their officers, especially of horse, taken prisoners, but (save that some of them were parliament men) of mean quality in the world, except only sir William Essex, the father of the colonel, whose wants, from having wasted a very great fortune, and his son's invitation, led him into that company; where he was a private captain of his regiment.

When the armies had thus only looked one upon another the whole day, and it being discerned that the enemy had drawn off his carriages, the king directed all his army to retire into their old quar-

[o] Saint John's,] *MS. adds*: son and heir apparent of the earl of Bullingbroke, a man known by nothing, but the having run into a vast debt, to the ruin of his own and many families whom he procured to be engaged for him, whom the king, shortly after the beginning of this parliament, at the importunity of the earl of Bedford and some others, unhappily created a peer, and by that rendered his person free from the arrest of his creditors, and added one to the number of those lords, who most furiously revolted from their allegiance. He had at this battle a regiment of horse, and was taken prisoner after he had received some hurts, of which he died the next day; on the field was slain, &c.

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ters, presuming (as it proved) that many of those who were wanting would be found there. And so himself with his two sons went to Edgecot, where he lay the night before the battle, resolving to rest the next day, both for the refreshing his wearied, and even tired men, and to be informed of the motion and condition of the enemy, upon which some troops of the king's horse attended. The earl of Essex retired with his to Warwick castle, whither he had sent all his prisoners; so that, on the Tuesday morning, the king was informed, that the enemy was gone, and that some of his horse had attended the rear of the enemy almost to Warwick, and that they had left many of their carriages, and very many of their wounded soldiers, at the village next to[p] the field; by which it appeared that their remove was in haste, and not without apprehension.

After the horse had marched almost to Warwick, and found the coast clear from the enemy, they returned to the field to view the dead bodies, many going to inquire after their friends who were missing, where they found many not yet dead of their wounds, but lying stripped among the dead; among whom, with others, young Mr. Scroop brought off his father, sir Gervas Scroop; who, being an old gentleman of great fortune in Lincolnshire, had raised a foot company among his tenants, and brought them into the earl of Lindsey's regiment, out of devotion and respect to his lordship, as well as duty to the king; and had, about the time that the general was taken, fallen with sixteen wounds in his body and head; and had lain stripped among the dead, from

[p] to] *Not in MS.*

that time, which was about three[q] in the afternoon on Sunday, all that cold night, all Monday, and Monday night, and till Tuesday evening, for it was so late before his son found him; whom with great piety he carried to a warm lodging, and afterwards[r] to Oxford; where he wonderfully recovered. The next morning after, being Wednesday, there was another gentleman, one Bellingham, of an ancient extraction,[s] and the only son of his father, found among the dead, and brought off by his friends, with twenty wounds; who, after ten days, died at Oxford, by the negligence of his surgeons, who left a wound in his thigh, of itself not dangerous, undiscerned, and so by festering destroyed a body very hopefully recovered of those which were only thought mortal. The surgeons were of opinion, that both these gentlemen owed their lives to the inhumanity of those who stripped them, and to the coldness of the nights, which stopped their blood, better than all their skill and medicaments could have done; and that, if they had been brought off within any reasonable distance of time after their wounds, they had undoubtedly perished.

On Wednesday morning, the king drew his army to a rendezvous, where he found his numbers greater than he expected; for, in the night after the battle, very many of the common soldiers, out of cold and hunger, had found their old quarters. So that it was really believed upon this view, when this little rest had recovered a strange cheerfulness into all men, that there were not in that battle lost above

[q] three] three of the clock

[r] afterwards] afterwards in the march

[s] extraction,] extraction in Sussex,

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three hundred men at[t] most. There the king declared general Ruthen general of his army in the place of the earl of Lindsey; and then marched to Ayno, a little village two miles distant from Banbury, of which his majesty that day took a view, and meant to attempt it the next day following. There was at that time in Banbury castle a regiment of eight hundred foot, and a troop of horse, which, with spirits proportionable, had been enough to have kept so strong a place from an army better prepared to have assaulted it, than the king's then was, and at a season of the year more commodious for a siege. And therefore many were of opinion, that the king should have marched by it, without taking notice of it, and that the engaging before it might prove very prejudicial to him. That which prevailed with him to stay there, besides the courage of his soldiers, who had again recovered their appetite to action, was that he could not well resolve whither to go; for till he was informed what the earl of Essex did, he knew not how to direct his march; and if the enemy advanced upon him, he could not fight in a place of more advantage. And therefore, having sent a trumpet to summon the castle, and having first taken the lord Say's house at Broughton, where there was some show of resistance, and in it a troop of horse, and some good arms, the cannon were planted against the castle, and the army drawn out before it; but, upon the first shot made, the castle sent to treat, and, upon leave to go away without their arms, they fairly and kindly delivered the place; and half the common soldiers at the least readily took condi-

Banbury castle surrendered to the king.

[t] at] at the

tions, and put themselves into the king's army; the rest of the arms came very seasonably to supply many soldiers of every regiment, who either never had any before, or had lost them at the battle.

This last success declared where the victory was before at Edgehill; for, though the routing of their horse, the having killed more upon[u] the place, and taken more prisoners, the number of the colours won from the enemy, (which were near forty in number,) without the loss of above three or four, and lastly the taking four pieces of their cannon the next morning after the battle, were so many arguments that the victory inclined to the king: on the other side, the loss of the general himself, and so many men of name either killed or taken prisoners, who were generally known over the kingdom, (whereas, besides the lord Saint-John's, and colonel Essex, the names of the rest of that party were so obscure, that neither the one side seemed to be gainers by having taken or killed them, nor the other side to be losers by being without them,) the having kept the field last,[x] were sufficient testimonies at the least that they were not overcome. But now the taking of Banbury, which was the more signal, by the circumstances of that part of the army's being, before the battle, designed for that service, then recalled to the field, and after that field fought, and the retreat of the enemy, the readvancing upon it, and taking it, was so undeniable an argument that the earl of Essex was more broken and scattered than at first he appeared to be, that the king's army was looked upon as victorious. A garrison was put into Ban-

[u] upon] on

[x] field last,] *MS. adds:* and taking the spoil of it,

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bury, and the command thereof committed to the earl of Northampton, and then the king marched to his own house at[y] Woodstock; and the next day with the whole army to Oxford, which was the only city of England, that he could say was entirely at his devotion; where he was received by the university, to whom the integrity and fidelity of that place is to be imputed, with all joy and acclamation.[z]

The condition of the earl of Essex's army after the fight.

The earl of Essex continued still at Warwick, repairing his broken regiments and troops, which every day lessened and impaired; for the number of his slain men was greater than it was reported to be, there being very many killed in the chase, and many who died of their wounds after they were carried off, and, of those, who run away in the beginning, more stayed away than returned; and, which was more,[a] they who run farthest and fastest[b] told such lamentable stories of the defeat, and many of them shewed such hurts, that the terror thereof was even ready to make the people revolt to their allegiance in all places. Many of those who had stood their ground, and behaved themselves well in the battle, either with remorse of conscience, horror of what they had done, and seen, or weariness of the duty and danger, withdrew themselves from their colours, and some from their commands. And it is certain many engaged themselves first in that service, out of an opinion, that an army would procure a peace without fighting; others out of a desire to serve the king, and resolving to go away themselves, and to carry

[y] at] to

[z] acclamation.] *MS. adds:* as Apollo should be by the muses.

[a] more,] worse,

[b] farthest and fastest] fastest and farthest

others with them, as soon as they should find themselves within a secure distance to do it; both these being, contrary to their expectation, brought to fight, the latter not knowing how to get to the king's army in the battle, discharged themselves of the service as soon as they came to Warwick; some with leave, and some without. But that which no doubt most troubled his excellency, was the temper and constitutions of his new masters; who, he knew, expected no less from him than a victory complete, by his bringing the person of the king alive or dead to them; and would consider what was now fallen out, as it was so much less than they looked for, not as it was more than any body else could have done for them. However, he gave them a glorious account of what had passed, and made as if his stay at Warwick were rather to receive new orders and commands from them, than out of any weakness or inability to pursue the old, and that he attended the king's motion as well as if he had been within seven miles of him.

It is certain the consternation was very great at London, and in the two houses, from the time that they heard, that the king marched from Shrewsbury with a formed army, and that he was resolved to fight, as soon as he could meet with theirs.[c] However, they endeavoured to keep up confidently the ridiculous opinion among the common people, that the king did not command, but was carried about in that army of the cavaliers, and was desirous to escape from them; which they hoped the earl of Essex would give him opportunity to do. The first

[c] theirs.] their army.

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news they heard of the army's being engaged, was by those who fled upon the first charge; who made marvellous haste from the place of danger, and thought not themselves safe, till they were gotten out of any possible distance of being pursued. It is certain, though it was past two of the clock before the battle begun, many of the soldiers, and some commanders of no mean name, were at St. Alban's, which was near thirty miles from the field, before it was dark. These men, as all runaways do for their own excuse, reported all for lost, and the king's army to be so terrible, that it could not be encountered. Some of them, that they might not be thought to come away before there was cause, or whilst there was any hope, reported the progress of the battle, and presented all those lamentable things, and the circumstances by which every part of the army was defeated, which their terrified fancies had suggested to them whilst they run away; some had seen the earl of Essex slain, and heard his dying words; "That every one should shift for himself, "for all resistance was to no purpose:" so that the whole city was, the Monday, full of the defeat; and though there was an express, from the earl of Essex himself, of the contrary, there was not courage enough left to believe it, and every hour produced somewhat to contradict the reports of the last. Monday in the afternoon, the earl of Holland produced a letter in the house of peers, which was written the night before by the earl of Essex, in which all particulars of the day were set down, and "the impression which had[d] in the beginning been

[d] which had] that had

"made upon his horse, but that the conclusion was "prosperous." Whilst this was reading, and every man greedily digesting the good news, the lord Hastings, who had a command of horse in the service, entered the house with frighted and ghastly looks, and positively declared "all to be lost, against what-"soever they believed or flattered themselves with." And though it was evident enough that he had run away from the beginning, and only lost his way thither, most men looked upon him as the last messenger, and even shut their ears against any possible comfort; so that without doubt very many, in the horror and consternation of eight and forty hours, paid and underwent a full penance and mortification for the hopes and insolence of three months before. At the last, on Wednesday morning, the lord Wharton, and Mr. William Strode, the one a member of the house of lords, the other of the commons, arrived from the army, and made so full a relation of the battle, "of the great numbers slain on the king's "part, without any considerable loss on their side, "of the miserable and weak condition the king's "army was in, and of the earl of Essex's resolution "to pursue him," that they were not now content to be savers, but voted "that their army had the vic-"tory;" and appointed a day for a solemn thanksgiving to God for the same; and, that so great a joy might not be enjoyed only within those walls, they appointed those two trusty messengers to communicate the whole relation with all circumstances to the city; which was convened together at the guildhall to receive the same. But by this time, so many persons, who were present at the action, came to the town of both sides, (for there was yet a free

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intercourse with all quarters,) and some discourses were published, how little either of these two messengers had seen themselves of that day's business, that the city seemed not so much exalted at their relations, as the houses had been;[e] the king's taking Banbury, and marching afterwards to Oxford, and the reports from those parts[f] of his power, with the earl of Essex's lying still at Warwick, gave great argument of discourse; which grew the greater by the commitment of several persons, for reporting, "that the king had the better of the field;" which men thought would not have been, if the success had been contrary; and therefore there was nothing so generally spoken of, or wished for, as peace.

They who were really well[g] affected to the king, and from the beginning opposed all the extravagances, for of such there were many in both houses, who could not yet find in their hearts to leave the company, spake now aloud, "that an humble ad-"dress to the king for the removal of all misunder-"standings, was both in duty necessary, and in po-"licy convenient." The half-hearted and half-witted people, which made much the major part of both houses, plainly discerned there must be a war, and that the king at least would be able to make resistance, which they had been promised he could not do, and so were equally passionate to make any overtures for accommodation. They only who had contrived the mischief, and already had digested a full change and alteration of government, and knew well, that all their arts would be discovered, and their persons odious, though they might be secured,

[e] been;] done; [f] parts] quarters [g] well] *Not in MS.*

violently opposed all motions of this kind. These men pressed earnestly "to send an express to their "brethren of Scotland, to invite and conjure them "to come to their assistance, and to leave no way "unthought of for suppressing, and totally destroy- "ing, all those who had presumed to side with the "king." This overture of calling the Scots in again was as unpopular a thing, as could be mentioned; besides that it implied a great and absolute diffidence in their own strength, and an acknowledgment that the people of England stood not so generally affected to their desires, which they had hitherto published, and urged, as the best argument to justify those desires. Therefore the wise managers of that party, by whose conduct they had been principally governed, seemed fully to concur with those who desired peace, "and to send an "humble address to the king, which they confessed "to be due from them as subjects, and the only way "to procure happiness for the kingdom." And having hereby rendered themselves gracious, and gained credit, they advised them "so to endeavour peace, "that they might not be disappointed of it," and wished them "to consider that the king's party "were high upon the success of having an army, "(of which they had reasonably before despaired,) "though not upon any thing that army had yet "done. That it was apparent, the king had mi- "nisters stirring for him in the north, and in the "west, though hitherto with little effect; and there- "fore if they should make such an application for "peace, as might imply the giving over the thoughts "of war, they must expect such a peace, as the "mercy of those whom they had provoked would

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"consent to. But if they would steadily pursue "those counsels as would make their strength for- "midable, they might then expect such moderate "conditions, as they might, with their own, and the "kingdom's safety, securely submit to. That there- "fore the proposition of sending into Scotland wa "very seasonable; not that it could be hoped, or "was desired, that they should bring an army into "England, of which there was not like to be any "need; but that that kingdom might make such a "declaration of their affections, and readiness to as- "sist the parliament, that the king might look upon "them with the more consideration, as a body not "easily to be oppressed, if he should insist upon too "high conditions."

By this artifice, whilst they who pressed a treaty thought, that, that being once consented to, a peace would inevitably be concluded, the same day that a committee was appointed, "to prepare heads of an "humble address unto his majesty, for composing "the present differences and distractions, and settling "the peace of the kingdom," (which was a great condescension,) they made no scruple to declare, "that the preparations of forces, and all other ne- "cessary means for defence, should be prosecuted "with all vigour;" and thereupon required "all "those officers and soldiers, who had left their ge- "neral, of which the town was then full, upon pain "of death, to return to him;" and, for his better recruit, solemnly declared, "that, in such times of "common danger and necessity, the interest of pri- "vate persons ought to give way to the public; and

Apprentices invited by the

"therefore they ordained, that such apprentices, as "would be listed to serve as soldiers, for the defence

" of the kingdom, the parliament, and city, (with " their other usual expressions of religion, and the " king's person,) their sureties, and such as stood " engaged for them, should be secured against their " masters; and that their masters should receive " them again, at the end of their service, without " imputing any loss of time to them, but the same " should be reckoned as well spent, according to " their indentures, as if they had been still in their " shops." And by this means many children were engaged in that service, not only against the consent, but against the persons, of their fathers, and the earl received a notable supply thereby. 1642. parliament to take arms:

Then, in return[h] for their consent that a formal and perfunctory message should be sent to his majesty, whereby they thought a treaty would be entered upon, they procured at the same time, and as an expedient for peace, this material and full declaration of both houses to the subjects of Scotland, which they caused with all expedition to be sent into that kingdom.

" We the lords[i] and commons, assembled in the " parliament of England, considering with what wis- " dom, and public affection, our brethren of the king- " dom of Scotland did concur with the endeavours " of this parliament, and the desires of the whole " kingdom, in procuring and establishing a firm peace " and amity between the two nations, and how lov- " ingly they have since invited us to a nearer and " higher degree of union in matters concerning reli- " gion and church-government, which we have most The two houses' declaration to the subjects of Scotland.

[h] in return] *Not in MS.*

[i] We the lords] *In the handwriting of lord Clarendon's amanuensis.*

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" willingly and affectionately embraced, and intend " to pursue, cannot doubt but they will, with as " much forwardness and affection, concur with us " in settling peace in this kingdom, and preserving " it in their own; that so we may mutually reap " the benefit of that amity and alliance, so happily " made, and strongly confirmed betwixt the two na- " tions. Wherefore, as we did about a year since, " in the first appearance of trouble then beginning " among them, actually declare, that, in our sense " and apprehension of the national alliance betwixt " us, we were thereby bound to apply the authority " of parliament, and power of this kingdom, to the " preservation and maintenance of their peace: and, " seeing now that the troubles of this kingdom are " grown to a greater height, and the subtle practices " of the common enemies[k] of the religion and li- " berty of both nations do appear with more evident " strength and danger than they did at that time, " we hold it necessary to declare, that, in our judg- " ment, the same obligation lies upon our brethren, " by the aforementioned act, with the power and " force of that kingdom, to assist us in repressing " those among us, who are now in arms, and make " war, not only without consent of parliament, but " even against the parliament, and for the destruc- " tion thereof.

" Wherefore we have thought good to make " known unto our brethren, that his majesty hath " given commission to divers eminent and known " papists, to raise forces, and to compose an army " in the north, and other parts of this kingdom,

[k] enemies] enemy

" which is to join with divers foreign forces, intend-
" ed to be transported from beyond the seas, for the
" destruction of this parliament, and of the religion
" and liberty of the kingdom: and that the princi-
" pal part of the clergy and their adherents have
" likewise invited his majesty to raise another army,
" which, in his own person, he doth conduct against
" the parliament, and the city of London, plunder-
" ing and robbing sundry well affected towns within
" their power; and, in prosecution of their malice,
" they were[1] so presumptuous, and predominant of
" his majesty's resolutions, that they forbear not
" those outrages in places to which his majesty hath
" given his royal word and protection; a great cause
" and incentive of which malice proceeds from the
" design they have to hinder the reformation of ec-
" clesiastical government in this kingdom, so much
" longed for by all the true lovers of the protestant
" religion.

" And hereupon we farther desire our brethren of
" the nation of Scotland, to raise such forces as they
" shall think sufficient for securing the peace of their
" own borders, against the ill affected persons there,
" as likewise to assist us in suppressing the army of
" papists and foreigners; which, as we expect, will
" shortly be on foot here, and, if they be not timely
" prevented, may prove as mischievous and destruc-
" tive to that kingdom, as to ourselves. And though
" we seek nothing from his majesty that may di-
" minish his just authority, or honour, and have, by
" many humble petitions, endeavoured to put an
" end to this unnatural war and combustion in the

[1] they were] they are

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"kingdom, and to procure his majesty's protection, "and security for our religion, liberty, and persons, "(according to that great trust which his majesty is "bound to by the laws of the land,) and shall still "continue to renew our petitions in that kind; yet, "to our great grief, we see the papistical and ma- "lignant council so prevalent with his majesty, and "his person so engaged to their power, that we "have little hope of better success of our petitions "than we formerly had; and are thereby necessi- "tated to stand upon our just defence, and to seek "this speedy and powerful assistance of our bre- "thren of Scotland, according to that act agreed "upon in the parliament of both kingdoms, the "common duty of Christianity, and the particular "interests of their own kingdom: to which we hope "God will give such a blessing, that it may produce "the preservation of religion, the honour, safety, "and peace of his majesty, and all his subjects, and "a more strict conjunction of the counsels, designs, "and endeavours of both nations, for the comfort "and relief of the reformed churches beyond sea."

The condition and inclinations of the kingdom of Scotland at that time.

It will not be here unseasonable[m], to take some short survey of the affections and inclinations of Scotland; the ordering and well disposing whereof, either side sufficiently understood, would be of moment, and extraordinary importance in the growing contention. From the time of the king's being last there, when he had so fully complied with all they had desired, both for the public government, and

[m] unseasonable] *MS. adds:* having, according to my weak abilities and observation, described the general temper and disposition of that time, and the particular state of affairs in the several parts of the kingdom, to take, &c.

their private advancements, that kingdom within itself enjoyed as much quiet and tranquillity as they could desire; having the convenience of disburdening themselves of their late army into Ireland, whither their old general Leslie, then made earl of Leven, was employed in his full command by the king and the two houses, at the charge of England. So that many believed they had been so abundantly satisfied with what they had already gotten from England, that they had no farther projects upon this kingdom, but meant to make their fortunes by a new conquest in Ireland, where they had a very great part of the province of Ulster planted by their own nation. So that, according to their rules of good husbandry, they might expect whatsoever they got from the rebels to keep for themselves. And the king himself was so confident that the affections of that people could not be so[n] corrupted towards him, as to make a farther attempt upon him, that he believed them, to a degree, sensible of their former breach of duty, and willing to repair it by any service. Leslie himself had made great acknowledgments, and great professions to him, and had told him, "That it was nothing to promise him, that he "would never more bear arms against him; but he "promised he would serve his majesty upon any "summons, without asking the cause." The earl of Lowden, and all the rest, who had misled the people, were possessed of whatsoever they could desire, and the future fortune of that nation seemed to depend wholly upon the keeping up the king's full power in this.

[n] so] *Not in MS.*

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His majesty had, from time to time, given his council of that kingdom full relations of all his differences with his parliament,[o] and had carefully sent them the declarations, and public passages of both sides; and they had always returned very ample expressions of their affections and duty, and expressed a great sense of the parliament's proceedings towards him. And since the time of his being at York, the lord chancellor of Scotland, in whose integrity and loyalty he was least secure, had been with him; and seemed so well satisfied with the justice and honour of his majesty's carriage towards the parliament, that he writ to the Scottish commissioners at London, in the name, and as by the direction of the lords of the secret council of that kingdom, "that they should present to the two "houses the deep sense they had of the injuries and "indignities, which were offered to the king, whose "just rights they were bound to defend; and that "they should conjure them to bind up those wounds "which were made, and not to widen them by sharp-"ness of language; and to give his majesty such "real security for his safety among them, by an ef-"fectual declaring against tumults, and such other "actions as were justly offensive to his majesty, that "he might be induced to reside nearer to them, and "comply with them in such propositions as should "be reasonably made;" with many such expressions, as together with his return into Scotland without coming to London, where he was expected, gave them so much offence and jealousy, that they never communicated that letter to the houses, and took all possible care to conceal it from the people.

[o] his parliament,] the parliament,

The marquis Hamilton had been likewise with his majesty at York, and finding the eyes of all men directed towards him with more than ordinary jealousy, he offered the king to go into Scotland, with many assurances and undertakings, confident, "that "he would at least keep that people from doing any "thing, that might seem to countenance the car-"riage of the parliament." Upon which promises, and to be rid of him at York, where he was by all men looked upon with marvellous prejudice, the king suffered him to go, with full assurance that he would, and he was sure he could, do him very good service there: as, on the other side, in his own court he was so great an offence, that the whole gentry of Yorkshire, who no doubt had infusions to that purpose from others, had a design to have petitioned the king, that the marquis might be sequestered from all councils, and presence at court, as a man too much trusted by them who would not trust his majesty.

Lastly, the king had many of the nobility of Scotland then attending,[p] and among those the earl of Calander, who had been lieutenant-general of the Scottish[q] army, when it invaded England, and had freely confessed to his majesty, upon what errors and mistakes he had been corrupted, and by whom, and pretended so deep a sense of what he had done amiss, that it was believed he would have taken command in the king's army; which he declined, as if it might have been penal to him in Scotland by some clause in the act of the pacification, but especially upon pretence it would disable him from doing

[p] attending,] attending him, [q] Scottish] Scotch

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him greater service in that kingdom: whither, shortly after the standard was set up, he repaired, with all solemn vows of asserting and improving his majesty's interest in those parts.

The parliament on the other hand assured themselves, that that nation was entirely theirs, having their commissioners residing with them at London; and the chief managers and governors in the first war[r], by their late intercourse, and communication of guilt, having a firm correspondence with the marquis of Argyle, the earl of Lowden, and that party, who, being not able to excuse[s] themselves, thought the king could never in his heart forgive them, when it should be in his power to bring them to justice. And they undertook that when there should be need of that nation, (which the other thought there would never be,) they should be as forward to second them as they had been; in the mean time returned as fair and respective answers to all their messages, and upon their declarations, which were constantly sent to them, as they did to the king; assisting them in their design against the church, which was not yet grown popular, even in the two houses, by declaring "that the people of that nation could never be engaged on any other ground, than the reformation "of religion." And therefore, about the beginning of August, the assembly of the kirk of Scotland published a declaration; "how exceedingly grieved "they were, and made heavy, that in so long a time, "against the professions both of king and parliament, and contrary to the joint desires and prayers "of the godly in both kingdoms, to whom it was

[r] war] *Omitted in MS.* [s] excuse] forgive

" more dear and precious than what was dearest to " them in the world, the reformation of religion had " moved so slowly, and suffered so great interrup- " tion."

The ground of which reproach was this: in the late treaty of peace, the commissioners for Scotland had expressed a desire or wish warily couched in words, rather than a proposition, " that there were " such an unity of religion, and uniformity of church- " government agreed on, as might be a special means " for conserving of peace betwixt the two king- " doms:" to which there had been a general inclination to return a rough answer, and reproof for their intermeddling in any thing that related to the laws of England. But, by the extraordinary industry and subtlety of those, who saw that business was not yet ripe, and who alleged, that it was only wished, not proposed, and therefore that a sharp reply was not merited, this gentle answer, against the minds of very many, was returned:

" That his majesty, with the advice of both houses " of parliament, did approve of the affection of his " subjects of Scotland, in their desire of having con- " formity of church-government between the two " nations; and as the parliament had already taken " into consideration the reformation of church-go- " vernment, so they would proceed therein in due " time, as should best conduce to the glory of God, " the peace of the church, and of both kingdoms."

Which was consented to by most, as a civil answer, signifying, or concluding nothing; by others, because it admitted an interpretation of reducing the government of the church in Scotland to this of England, as much as the contrary. But it might

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have been well discerned, that those men asked nothing without a farther design than the words naturally imported, nor ever rested satisfied with a general formal answer, except they found, that they should hereafter make use, and receive benefit by such answer. So they now urged the matter of this answer, as a sufficient title to demand the extirpation of prelacy in England, and demolishing the whole fabric of that glorious church; urging his majesty's late practice, while he was[t] in person in Scotland, in resorting frequently to their exercises of public worship; and his royal actions, in establishing the worship and government of that kirk in parliament. And therefore they desired the parliament "to begin their work of reformation at the uniformity of kirk-government; for that there could be "no hope of unity in religion, of one confession of "faith, one form of worship, and one catechism, till "there were first one form of church-government; "and that the kingdom, and kirk of Scotland, could "have no hope of a firm and durable peace, till "prelacy, which had been the main cause of their "miseries and troubles, first and last, were plucked up root and branch, as a plant which God "had not planted, and from which no better fruits "could be expected, than such sour grapes, as at "that day set on edge the kingdom of England."

Which declaration the lords of the secret council, finding, as they said, "the reasons therein expressed "to be very pregnant, and the particulars desired, "much to conduce to the glory of God, the advance"ment of the true Christian faith, his majesty's ho-

[t] was] *Omitted in MS.*

" nour, and the peace and union of his dominions," well approved of; and concurred in their earnest desires to the two houses of parliament, " to take to " their serious considerations those particulars, and " to give favourable hearing to such desires and overtures, as should be found most conducible to the " promoting so great and so good a work." 1642.

This being sent to the parliament at the time they were forming their army, and when the king was preparing for his defence, they who, from the beginning, had principally intended this confusion of the church, insinuated " how necessary it was, " speedily to return a very affectionate and satisfactory reply to the kingdom of Scotland; not only " to preserve the reputation of unity and consent " between them, which, at that time, was very useful to them, but to hinder the operations of the " disaffected in that kingdom; who, upon infusions " that the parliament only aimed at taking his majesty's regal rights from him, to the prejudice of " monarchique government, without any thought of " reforming religion, endeavoured to pervert the affections of that people towards the parliament. " Whereas, if they were once assured there was a " purpose to reform religion, they should be sure to " have their hearts; and, if occasion required, their " hands too; which possibly might be seduced for " the king, if that purpose were not manifested. " Therefore, for the present, they should do well to " return their hearty thanks for, and their brotherly " acceptance and approbation of the desires and advice of that Christian assembly, and of the lords " of the council; and that though, for the present, " by reason of the king's distance from the parlia-

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" ment, they could not settle any conclusion in that " matter, yet [u] for their parts they were resolved to " endeavour it."

" By this artifice and invention, they procured a declaration from the two houses of parliament, of wonderful kindness, and confession of many inconveniences and mischiefs the kingdom had sustained by bishops; and therefore they declared, " that that " hierarchical government was evil, and justly of- " fensive, and burdensome to the kingdom; a great " impediment to reformation and growth of reli- " gion; very prejudicial to the state and govern- " ment of the kingdom; and that they were re- " solved, that the same should be taken away; and " that their purpose was to consult with godly and " learned divines, that they might not only remove " that, but settle such a government, as might be " most agreeable to God's holy word; most apt to " procure and conserve the peace of the church at " home, and happy union with the church of Scot- " land, and other reformed churches abroad; and to " establish the same by a law, which they intended " to frame for that purpose, to be presented to his " majesty for his royal assent; and in the mean " time to beseech him, that a bill for the assembly " might be passed in time convenient for their meet- " ing;" the two houses having extra-judicially and extravagantly nominated their own divines to that purpose, as is before remembered.

It was then believed by many, and the king was persuaded to believe the same, that all those importunities from Scotland concerning the government

[u] yet] that

of the church were used only to preserve themselves from being pressed by the parliament, to join with them against the king; imagining that this kingdom would never have consented to such an alteration; and they again pretending, that no other obligation could unite that people in their service. But it is most certain, this last declaration was procured by persuading men, "that it was for the pre-"sent necessary, and that it was only an engage-"ment to do their best to persuade his majesty, "who they concluded would be inexorable in the "point," (which they seemed not to be sorry for,) "and that a receding from such a conclusion would "be a means to gratify his majesty in a treaty." At worst, they all knew, that there would be room enough, when any bill should be brought in, to oppose what they had, for this reason of state, seemed generally to consent to. And so by these stratagems, thinking to be too hard for each other, they grew all so entangled, that they still wound themselves deeper into those labyrinths, in which the major part meant not to be involved. And what effect that declaration of the two houses, after the battle of Edge-hill, which is mentioned before, wrought, will very shortly appear.

The king[x] found himself in good ease at Oxford, where care was taken for providing for the sick and wounded soldiers, and for the accommodation of the army, which was, in a short time, recruited there in a good measure; and the several colleges presented his majesty with all the money they had in their

The king at Oxford recruits his army.

[x] The king] *Originally in MS. B.:* He was received there (*viz. Oxford*) with all the demonstrations of joy as could be expected from the affection of so loyal a university.

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treasuries, which amounted to a good sum, and was a very seasonable supply, as they had formerly sent him all their plate. It had been very happy, if the king had continued his resolution of sitting still during the winter, without making farther attempts; for his reputation was now great, and his army believed to be much greater than it was, by the victory they had obtained, and the parliament grew more divided into factions, and dislike of what they had done, and the city appeared fuller of discontent, and less inclined to be imposed upon, than they had been: so that on all hands nothing was pressed, but that some address might be made to the king for an accommodation; which temper and disposition might have been cultivated, as many men thought, to great effects, if no farther approaches had been made to London, to shew them how little cause they had for their great fear. But the weather growing fair again, as it often is about Allhollantide, and a good party of horse having been sent out from Abingdon, where the head quarter of the horse was, they advanced farther than they had order to do, and upon their approach to Reading, where Harry Martin was governor for the parliament, there was a great terror seized upon them, insomuch as governor and garrison fled to London, and left the place to the party of horse; which gave advertisement to the king, "that all fled before "them; that the earl of Essex remained still at "Warwick, having no army to march; and that "there were so great divisions in the parliament, "that, upon his majesty's approach, they would all "fly; and that nothing could interrupt him from "going to Whitehall. However, Reading itself was

The garrison of the parliament at Reading quitting it, the king marches thither.

"so good a post, that if the king should find it ne-
"cessary to make his own residence in Oxford, it
"would be much the better by having a garrison at
"Reading."

Upon these and other motives, besides the natural credulity in men, in believing all they wish to be true, the king was prevailed with to march with his army to Reading.[y] This alarm quickly came

[y] with his army to Reading.] *Thus continued in MS. B.:* but could not overtake his horse; which was still before, and his majesty followed to Colebrooke; whither a message from the parliament was sent to him, to desire him to advance no farther, before they sent persons to treat with him; which they were ready to do. And he did return such an answer as made them believe that he would expect them there, without moving nearer towards London. And if he had then stopped any farther advance, and himself upon that address retired to his castle at Windsor, it would have been delivered to him, by the order of the parliament, which had then some troops in it: and being possessed of so considerable a place, the treaty would very probably have been concluded with good success. But the fate of that poor kingdom contradicted that blessing. All things were in a hurry, and the horse still engaged the king to follow, so that he advanced with the whole army to Brentford, and cut off some regiments of foot, which the earl of Essex had sent thither, himself being the night before entered London. It was now evident to all men, that there had [been] great oversight in making so great haste; all thoughts of treaty were dashed; they who most desired it, did not desire to be in the king's mercy; and they now believed, by his majesty's making so much haste towards them, after their offer of a treaty, that he meant to have surprised and taken vengeance of them without distinction. All people prepared for a vigorous defence; and, beside the earl of Essex's army, all the city and nobility that remained there marched out with him to Hounslow Heath, with all things proportionable, or that could be of use or convenience to so numerous an army. Where they quickly had a view of the whole miserable forces which had given them that alarum, which they found cause enough to despise, and so recovered easily their own courage. And the king found it necessary, after he had rested one night at Hampton court, to make a hasty retreat to Reading; where he left a garrison of about three thousand men under the command of sir Arthur Aston, who undertook to fortify

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to London,[z] and was received with the deepest horror: they now unbelieved all which had been told them from their own army; that army, which, they were told, was well beaten and scattered, was now

it: and having likewise left colonel Blake with his regiment to fortify Wallingford castle, his majesty, towards the end of November, returned to Oxford, unsatisfied with the progress he had made, which had likewise raised much faction and discontent amongst the officers, every man imputing the oversights which had been committed, to the rashness and presumption of others; and prince Rupert, in the march, contracted an irreconcilable prejudice to Wilmot, who was then lieutenant-general of the horse, and was not fast in the king's favour.

As soon as the king returned to Oxford, his first care was to publish such declarations and proclamations as might best compose the minds of the people, by assuring them of the king's impatient desire of peace, which his hasty march from Colebrooke to Brentford, after the receipt of the parliament message, had made much doubted, and the managers there lost no time in the improving those jealousies; and therefore his majesty caused a declaration to be published concerning that affair, and the ground of his advancement to Brentford; which declaration was prepared by the lord Falkland, through whose hands that address, and the answer to it, had passed. That declaration, and the answer to the nineteen propositions, which is mentioned before, were the two only declarations of the king's which were not prepared and drawn up by Mr. Hyde, who at that time was busy in other things, as drawing proclamations, and other declarations and writings, by which the king thought his service to be much advanced.

[z] This alarm quickly came to London,] *The account of this alarm is thus briefly given in MS. C.* The fame of the great distractions at London, and the advices from unskilful persons thence, who believed that the appearance of his majesty with his forces near London would so terrify the disaffected, and give such life and courage to those who wished well to him, that the gates would be open to him, prevailed with his majesty, when all armies used to betake themselves to their winter quarters, to lead his again into the field; and therefore having rested himself at Oxford only three days, he marched towards Reading, prince Rupert with his horse and dragoons having so frighted that garrison, (for there was a garrison planted in it by the parliament,) that the chief officers, upon the fame of his coming, fled, that the town willingly received the king's forces, and delivered all their arms and ammunition to his disposal. This alarum, &c.

advanced within thirty miles of London; and the earl of Essex, who pretended to the victory, and who they supposed was watching the king, that he might not escape from him, could not be heard of, and continued still at Warwick. Whilst the king was at Nottingham, and Shrewsbury, they gave orders magisterially for the war: but now it was come to their own doors, they took not that delight in it. BOOK VI. 1642.

Before they were resolved what to say, they despatched a messenger, who found the king at Reading, only to desire "a safe conduct from his ma-"jesty for a committee of lords and commons, to "attend his majesty with an humble petition from "his parliament." The king presently returned his answer, "that he had always been, and was "still ready to receive any petition from them; "that their committee should be welcome, provided "it consisted of persons, who had not been by name "declared traitors by his majesty, and excepted as "such in his declarations or proclamations." The cause of this limitation was as well the former rule his majesty had set down at Shrewsbury, (from whence he thought not fit now to recede, after a battle,) as that he might prevent the lord Say's being sent to him, from whom he could expect no entire and upright dealing.

The next day another letter came from the speaker of the house of peers to the lord Falkland, one of his majesty's principal secretaries, to desire "a safe conduct for the earls of Northumberland "and Pembroke, and four members of the house of "commons, to attend his majesty with their peti-"tion;" which safe conduct was immediately signed

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by his majesty, excepting only for sir John Evelyn, who was by name excepted in his majesty's proclamation of pardon to the county of Wilts; which proclamation was then sent to them with a signification, "that if they would send any other person "in his place, not subject to the same exception, he "should be received as if his name were in the safe "conduct." Though this was no more than they had cause to look for, yet it gave them opportunity for a time to lay aside the thought of petitioning, as if his majesty had rejected all overtures of peace: "For he might every day proclaim as many of their "members traitors, and except them from pardon, "as he pleased; and therefore it was to no purpose "to prepare petitions, and appoint messengers to "present them, when it was possible those messen-"gers might, the hour before, be proclaimed trai-"tors: that to submit to such a limitation of the "king's was, upon the matter, to consent to and "approve the highest breach of privilege, that had "been yet offered to them."

So that, for some days, all discourse of peace was waved, and all possible preparations for defence and resistance made; for which they had a stronger argument than either of the other, the advancing of their general, the earl of Essex, who was now on his march towards London; and a great fame came before him of the strength and courage of his army; though in truth it was not answerable to the report: however, it served to encourage and inflame those whose fear only inclined them to peace, and to awe the rest. The king, who had every night an account of what was transacted in the houses all day, (what the close committee did, who guided all

private designs, was not so soon known,) resolved to quicken them; and advanced with his whole army to Colebrook. This indeed exalted their appetite to peace; for the clamour of the people was importunate, and somewhat humbled their style; for at Colebrook, the 11th of November, his majesty was met by the two earls of Northumberland and Pembroke, with those three of the house of commons whose names were in the safe conduct; they satisfying themselves, that the leaving sir John Evelyn behind them, without bringing another in his room, was no submission to the king's exception: and this petition was [a] by them presented to him.

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The king advances to Colebrook.

A petition presented to the king from both houses.

"We your majesty's [b] most loyal subjects, the "lords and commons in parliament assembled, being "affected with a deep and piercing sense of the "miseries of this kingdom, and of the dangers to "your majesty's person, as the present affairs now "stand; and much quickened therein with the sad "consideration of the great effusion of blood at the "late battle, and of the loss of so many eminent "persons; and farther weighing the addition of "loss, misery, and danger to your majesty, and "your kingdom, which must ensue, if both armies "should again join in another battle, as without "God's especial blessing, and your majesty's con-"currence with your houses of parliament, will not "probably be avoided: we cannot but believe that "a suitable impression of tenderness and compas-"sion is wrought in your majesty's royal heart, be-"ing yourself an eyewitness of the bloody and sor-"rowful destruction of so many of your subjects;

[a] was] *Omitted in MS.*

[b] We your majesty's] *This petition is in the handwriting of lord Clarendon's amanuensis.*

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"and that your majesty doth apprehend what diminution of your own power and greatness will follow, and that all your kingdoms will thereby be so weakened as to become subject to the attempts of any ill-affected to this state.

"In all which respects we assure ourselves, that your majesty will be inclined graciously to accept this our humble petition; that the misery and desolation of this kingdom may be speedily removed, and prevented. For the effecting whereof, we humbly beseech your majesty to appoint some convenient place, not far from the city of London, where your majesty will be pleased to reside, until committees of both houses of parliament may attend your majesty with some propositions for the removal of these bloody distempers and distractions, and settling the state of the kingdom in such a manner as may conduce to the preservation of God's true religion, your majesty's honour, safety, and prosperity; and to the peace, comfort, and security of all your people."

The king, within two or three hours after the receipt of this petition, delivered to the same messengers this ensuing answer, with which they returned the same night to London.

The king's answer.

"We[c] take God to witness, how deeply we are affected with the miseries of this kingdom, which heretofore we have stroven as much as in us lay to prevent; it being sufficiently known to all the world that, as we were not the first that took up arms, so we have shewed our readiness of composing all things in a fair way, by our several offers

[c] We take] *This answer is in the same handwriting as the preceding petition.*

" of treaty, and shall be glad now at length to find " any such inclinations in others. The same ten- " derness to avoid the destruction of our subjects, " (whom we know to be our greatest strength,) " which would always make our greatest victories " bitter to us, shall make us willingly hearken to " such propositions, whereby these bloody distem- " pers may be stopped, and the great distractions of " this kingdom settled to God's glory, our honour, " and the welfare and flourishing of our people: " and to that end shall reside at our own castle at " Windsor, (if the forces there shall be removed,) " till committees may have time to attend us with " the same, (which, to prevent the inconveniences " that will intervene, we wish be hastened,) and " shall be ready there, or, if that be refused us, at " any place where we shall be, to receive such pro- " positions as aforesaid, from both our houses of " parliament. Do you your duty, we will not be " wanting in ours. God of his mercy give a bless- " ing."

1642.

It was then believed by many, that if the king had, as soon as the messengers returned to London, retired with his army to Reading, and there expected the parliament's answer, they[d] would immediately have withdrawn their garrison from Windsor, and delivered that castle to his majesty for his accommodation to have treated in: and without doubt those lords who had been with the petition, and some others who thought themselves as much overshadowed by the greatness of the earl of Essex, and the chief officers of the army, as they could be by

[d] they] that they

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the glory of any favourite, or power of any counsellors, were resolved to merit as much as they could of the king, by advancing an honourable peace; and had it in their purpose to endeavour the giving up of Windsor to the king; but whether they would have been able to have prevailed that so considerable a strength, in so considerable a place, should have been quitted, whilst there was only hope of a peace, I much doubt. But certainly the king's army carried great terror with it; and all those reports, which published the weakness of it, grew to be peremptorily disbelieved. For, besides that every day's experience disproved somewhat which was so[e] confidently reported, and it was evident great industry was used to apply such intelligence to the people as was most like to make impression upon the passions and affections of the vulgar-spirited, it could not be believed that a handful of men could have given battle to their formidable army, and, after taking two or three of their garrisons, presume to march within fifteen miles of London: so that, if from thence the king had drawn back again to Reading, relying upon a treaty for the rest, it is probable his power would have been more valued, and consequently his grace the more magnified. And sure the king resolved to have done so, or at least to have staid at Colebrook[f] till he heard again from the parliament. But prince Rupert, exalted with the terror he heard his name gave to the enemy, trusting too much to the vulgar intelligence every man received from his friends at London, who, ac-

[e] so] as

[f] Colebrook] *MS. adds:* (which was not so convenient)

cording to their own passions and the affections of those with whom they corresponded, concluded that the king had so great a party in London, that, if his army drew near, no resistance would be made,[g] without any direction from the king, the very next morning after the committee returned to London, advanced with the horse and dragoons to Hounslow, and then sent to the king to desire him that the army might march after; which was, in that case, of absolute necessity; for the earl of Essex had a part of his army at Brentford, and the rest at Acton, and Kingston. So that if the king had not advanced with his body, those who were before might very easily have been compassed in, and their retreat made[h] very difficult. 1642.

The king marches towards Brentford.

So the king marched with his whole army towards Brentford, where were two regiments of their best foot, (for so they were accounted, being those who had eminently behaved themselves at Edge-hill,) having barricadoed the narrow avenues to the town, and cast up some little breastworks at the most convenient places. Here a Welsh regiment of the king's, which had been faulty at Edge-hill, recovered its honour, and assaulted the works, and forced the barricadoes well defended by the enemy. Then the king's forces entered the town after a very warm service, the chief officers and many soldiers of the other side being killed; and they[i] took there above five hundred prisoners, eleven colours, and fifteen

[g] no resistance would be made,] *Thus continued originally in MS.* and too much neglecting the council of state (which from the first hour the army overmuch inclined to) without any direction &c.

[h] made] *Not in MS.*

[i] they] *Not in MS.*

BOOK VI. 1642.

pieces of cannon, and good store of ammunition. But this victory (for considering the place it might well be called so) proved not at all fortunate to his majesty.

The two houses were so well satisfied with the answer their committee had brought from the king, and with the report they made of his majesty's clemency, and gracious reception of them, that they had sent order to their forces, "that they should not "exercise any act of hostility towards the king's "forces;" and, at the same time, despatched a messenger, to acquaint his majesty therewith, and to desire "that there might be the like forbearance on "his part." The messenger found both parties engaged at Brentford, and so returned without attending his majesty, who had no apprehension that they intended any cessation; since those forces were advanced to Brentford, Acton, and Kingston, after their committee was sent to Colebrook. However they looked upon this entering of Brentford as a surprise contrary to faith, and the betraying their forces to a massacre, under the specious pretence of a treaty for peace. The alarm[k] came to London, with the same terror[l] as if the army were entered their gates, and the king accused "of treachery, per-"fidy, and blood; and that he had given the spoil "and wealth of the city as pillage to his army, which "advanced with no other purpose."

They who believed nothing of those calumnies, were not yet willing the king should enter the city with an army, which, they knew, would not be governed in so rich quarters; and therefore, with un-

[k] alarm] alarum

[l] terror] dire yell

speakable expedition, the army under the earl of Essex was not only drawn together, but all the trained bands of London led out in their brightest equipage upon the heath next Brentford; where they had indeed a full army of horse and foot, fit to have decided the title of a crown with an equal adversary. The view and prospect of this strength, which nothing but that sudden exigent could have brought together,[m] extremely puffed them up; not only as it was an ample security against the present danger, but as it looked like a safe power to encounter any other.[n] They had now[o] before their eyes the king's little handful of men, and then begun[p] to wonder and blush at their own fears; and all this might be without excess of courage; for without doubt their numbers then, without the advantage of equipage, (which to soldiers is a great addition of mettle,) were five times greater than the king's harassed, weather-beaten, and half-starved troops.

BOOK VI. 1642. The earl of Essex's army, and the city trained bands, opposed against them.

I have heard many knowing men, and some who were then in the city regiments, say, "That if the "king had advanced, and charged that massive body, "it had presently given ground; and that the king "had so great a party in every regiment, that they[q] "would have made no resistance." But it had been madness, which no success could have vindicated, to have made that attempt: and the king easily discerned that he had brought himself into straits and difficulties, which would be hardly mastered, and exposed his victorious army to a view, at too near a

[m] together,] *MS. adds:* (so that army was really raised by king and parliament)
[n] any other.] any exigent.
[o] now] then
[p] begun] began
[q] they] it

BOOK VI. 1642.

distance off his two enemies, the parliament and the city. Yet he stood all that day in battalia to receive them, who only played upon him with their cannon, to the loss only of four or five horses, and not one man. The constitution[r] of their forces, where there were very many not at all affected to the company they were in, being a good argument to them not to charge the king, which had been an ill one to him to charge them.

The king's army drawn off to Kingston.

When the evening drew on, and it appeared that great body stood only for the defence of the city, the king appointed his army to draw off to Kingston, which the rebels had kindly quitted; which they did without the loss of a man; and himself went to his own house at Hampton-court; where he rested the next day, as well to refresh his army, even tired with watching and fasting, as to expect some propositions from the houses. For, upon his advance to Brentford, he had sent a servant of his own, one Mr. White, with a message to the parliament, containing the reasons of that motion, (there being no cessation offered on their part,) and desiring "the "propositions might be despatched to him with all "speed." But his messenger, being carried to the earl of Essex, was by him used very roughly, and by the houses committed to the Gate-house, not without the motion of some men, "that he might be "executed as a spy."

After a day's stay at Hampton-court, the king

[r] The constitution—charge them.] *Thus in MS.* that being a good argument to them not to charge the king, which had been an ill one to him to charge them, the constitution of their forces, where there were very many not at all affected to the company they were in.

removed himself to his house at Oatlands, leaving the gross of his army still at Kingston, and thereabouts; but being then informed of the high imputations they had laid upon him; "of breach of faith, "by his march to Brentford; and that the city was "really inflamed with an opinion, that he meant to "have surprised them, and to have sacked the town; "that they were so possessed with that fear and ap-"prehension, that their care and preparation for "their safety would at least keep off all proposi-"tions for peace, whilst the army lay so near Lon-"don;" he gave direction for all his forces to retire to Reading; first discharging all the common soldiers, who had been taken prisoners at Brentford, (except such who voluntarily offered to serve him,) upon their oaths that they would no more bear arms against his majesty. BOOK VI. 1642. Thence to Reading.

The king then sent a message to the houses, in which "he took notice of those unjust and unrea-"sonable imputations raised on him; told them "again of the reasons and circumstances of his mo-"tion towards Brentford; of the earl of Essex's "drawing out his forces towards him, and possess-"ing those quarters about him, and almost hemming "him in, after the time that the commissioners were "sent to him with the petition; that he had never "heard of the least overture of the forbearing all "acts of hostility, but saw the contrary practised by "them by that advance; that he had not the least "thought or intention of mastering the city by force, "or carrying his army thither: that he wondered to "hear his soldiers charged with thirsting after blood, "when they took above five hundred prisoners in "the very heat of the fight. He told them such The king sends a message to the houses.

BOOK VI. 1642.

"were most apt and likely to maintain their power "by blood and rapine, who had only got it by op- "pression and injustice; that his was vested in him "by the law, and by that only (if the destructive "counsels of others did not hinder such a peace, in "which that might once again be the universal rule, "and in which only religion and justice could flou- "rish) he desired to maintain it: that he intended "to march to such a distance from his city of Lon- "don, as might take away all pretence of apprehen- "sion from his army, that might hinder them from "preparing their propositions, in all security, to be "presented to him; and there he would be ready to "receive them, or, if that expedient pleased them "not, to end the pressures and miseries, which his "subjects, to his great grief, suffered through this "war, by a present battle."

But as the army's being so near London was an argument against a present treaty, so its remove to Reading was a greater with very many not to desire any. The danger, which they had brought themselves for some days together to look upon at their gates, was now to be contemned at the distance of thirty miles; and this retreat imputed only to the fear of their power, not to the inclinations to peace. And therefore they, who during the time that the major part did really desire a good peace, and whilst overtures were preparing to that purpose, had the skill to intermingle acts more destructive to it, than any propositions could be contributory, (as the inviting the Scots to their assistance by that declaration, which is before mentioned; and the publishing a declaration at the same time, which had lain long by them, in reply to one set forth by the king long

before in answer to theirs of the 26th of May, in which they used both his person and his power with more irreverence than they had ever done before,) now only insisted on the surprise, as they called it, of Brentford; and[s] published, by the authority of both houses, a relation of the carriage of the king's soldiers in that town after their victory, (which they framed upon the discourses of the country people, who possibly, as it could not be otherwise, had received damage by their licence then,) to make the king and his army odious to the kingdom; "as af-"fecting nothing but blood and rapine;" and concluding,[t] "that there could not be reasonably ex-"pected any good conditions of a tolerable peace "from the king, whilst he was in such company; "and therefore that all particular propositions were "to be resolved into that one, of inviting his ma-"jesty to come to them;" and got a vote from the major part of both houses, "that no other measure "for[u] accommodation or treaty should be thought "on."

BOOK VI. 1642.

Their trusty lord mayor of London, Isaac Pennington, who was again chosen to serve another year, so bestirred himself, having to assist him two[x] sheriffs, Langham and Andrews, as they could wish, that there was not only no more importunity or interposition from the city for peace; but, instead thereof, an overture and declaration from divers, under the style of well-affected persons, "that they "would advance a considerable number of soldiers, "for the supply and recruit of the parliament forces; "and would arm, maintain, and pay them for seve-

[s] and] *Not in MS.*
[t] and concluding,] concluded,
[u] measure for] thought of
[x] two] two such

BOOK VI. 1642.

" ral months, or during the times of danger and dis-
" tractions; provided that they might have the pub-
" lic faith of the kingdom for repayment of all such
" sums of money, which they should so advance by
" way of loan." This wonderful kind of[y] proposition was presently declared " to be an acceptable
" service to the king, parliament, and kingdom, and
" necessarily tending to the preservation of them;"
and therefore an ordinance, as they call it, was framed and passed both houses;

An ordinance for raising money upon the public faith.

" That all such as should furnish men, money,
" horse, or arms for that service, should have the
" same fully repaid again, with interest for the for-
" bearance thereof, from the times disbursed. And
" for the true payment thereof, they did thereby en-
" gage to all, and every such person, and persons,
" the public faith of the kingdom." And ordered the lord mayor, and sheriffs of London, by themselves, or such sub-committees as they should appoint, to take subscriptions, and to intend the advancement of that service. Upon this voluntary, general proposition, made by a few obscure men, probably such who were not able to supply much money, was this ordinance made; and from this ordinance the active mayor, and sheriffs, appointed a committee of such persons whose inclinations they well knew, to press all kind of people, especially those who were not forward, to new subscriptions; and by degrees, from this unconsidered passage, grew the monthly tax of six thousand pounds to be set upon the city for the payment of the army.

As they provided, with this notable circumspec-

[y] of] *Not in MS.*

tion, to raise men and money; so they took not less care, nor used less art and industry, to raise their general; and lest he might suppose himself fallen in their good grace and confidence, by bringing an army back shattered, poor, and discomforted, which he had carried out in full numbers, and glorious equipage, they used him with greater reverence and submission than ever. They had before appointed another distinct army to be raised under the command of the earl of Warwick, and not subject to the power of the earl of Essex; and of this, several regiments and troops were raised: these they sent to the old army, and the earl of Warwick gave up his commission, upon resolution,[z] "that there should be "only one general, and he, the earl of Essex." Then the two houses passed, and presented, with great solemnity, this declaration to his excellency, the same day that their committee went to the king with their petition:

A declaration of both houses concerning their general's acceptable service.

"That, as they had, upon mature deliberation, "and assured confidence in his wisdom, courage, and "fidelity, chosen and appointed him their captain-"general; so they did find, that the said earl had "managed that service, of so high importance, with "so much care, valour, and dexterity, as well by "the extremest hazard of his life, in a bloody battle "near Keinton in Warwickshire, as by all the ac-"tions of a most excellent and expert commander, "in the whole course of that employment, as did "deserve their best acknowledgment: and they did "therefore declare, and publish, to the lasting ho-"nour of the said earl, the great and acceptable ser-

[z] resolution,] a resolution,

BOOK VI. 1642.

" vice, which he had therein done to the common-
" wealth: and should be willing and ready, upon all
" occasions, to express the due sense they had of his
" merits, by assuring and protecting him, and all
" others employed under his command in that ser-
" vice, with their lives and fortunes, to the utter-
" most of their power: that testimony and declara-
" tion to remain upon record, in both houses of par-
" liament, for a mark of honour to his person, name,
" and family, and for a monument of his singular
" virtue to posterity."

When they had thus composed their army and their general, they sent this petition to the king to Reading, who staid still there in expectation of their propositions.

The houses' petition to the king, Nov. 24.

" May it please[a] your majesty:

" It is humbly desired by both houses of parlia-
" ment, that your majesty will be pleased to return
" to your parliament, with your royal, not your mar-
" tial, attendance; to the end that religion, laws,
" and liberties, may be settled and secured by their
" advice; finding by a sad and late accident, that
" your majesty is environed by some such counsels,
" as do rather persuade a desperate division, than a
" joining and a good agreement with your parlia-
" ment and people: and we shall be ready to give
" your majesty assurances of such security, as may
" be for your honour, and the safety of your royal
" person."

The substance of the king's answer.

As soon as the king received this strange address, he returned them by the same messenger a sharp answer to this effect[b]: He told them, " he hoped all

[a] May it please] *This petition is in the handwriting of lord Clarendon's amanuensis.*

[b] to this effect] *Not in MS.*

" his good subjects would look upon that message " with indignation, as intended, by the contrivers " thereof, as a scorn to him; and thereby designed " by that malignant party, (of whom he had so often " complained, whose safety and ambition was built " upon the divisions and ruins of the kingdom, and " who had too great an influence upon their actions,) " for a wall of separation betwixt his majesty and " his people. He said, he had often told them the " reasons, why he departed from London; how he " was chased thence, and by whom; and as often " complained, that the greatest part of his peers, " and of the members of the house of commons, " could not, with safety to their honours and per- " sons, continue, and vote freely among them; but, " by violence, and cunning practices, were debarred " of those privileges, which their birthrights, and " the trust reposed in them by their countries,[c] " gave them: that the whole kingdom knew that an " army was raised, under pretence of orders of both " houses, (an usurpation never before heard of in " any age,) which army had pursued his majesty in " his own kingdom; given him battle at Keinton; " and now, those rebels being recruited, and pos- " sessed of the city of London, he was courteously " invited to return to his parliament there, that is, " to the power of that army.

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" That, he said, could signify nothing but that, " since the traitorous endeavours of those desperate " men could not snatch the crown from his head, it " being defended by the providence of God, and the " affections and loyalty of his good subjects, he

[c] countries,] counties,

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" should now tamely come up, and give it them; and " put himself, his life, and the lives, liberties, and " fortunes of all his good subjects into their merci- " ful hands. He said, he thought not fit to give " any other answer to that part of their petition: " but as he imputed not that affront to both his " houses of parliament, nor to the major part of " those who were then present there, but to that " dangerous party his majesty and the kingdom " must still cry out upon; so he would not (for his " good subjects' sake, and out of his most tender " sense of their miseries, and the general calamities " of the kingdom, which must, if the war continued, " speedily overwhelm the whole nation) take advan- " tage of it: but if they would really pursue the " course they seemed, by their petition at Colebrook, " to be inclined to, he should make good all he then " promised; whereby the hearts of his distressed sub- " jects might be raised with the hopes of peace; with- " out which, religion, the laws, and liberties, could " by no ways be settled and secured.

" For the late and sad accident they mentioned, if " they intended that of Brentford, he desired them " once again to deal ingenuously with the people, " and to let them see his last message to them, and " his declaration concerning the same," (both which his majesty had sent to his press at London, but were taken away from his messenger, and not suffered to be published,) " and then he doubted not, " but they would be soon undeceived, and easily find " out those counsels, which did rather persuade a " desperate division, than a good agreement betwixt " his majesty, his two houses, and people."

This answer being delivered, without any farther

consideration whether the same were reasonable or not reasonable, they declared "the king had no "mind to peace;" and thereupon laid aside all farther debates to that purpose; and ordered their general to march to Windsor with the army, to be so much nearer the king's forces; for the better recruiting whereof, two of their most eminent chaplains, Dr. Downing and Mr. Marshall, publicly avowed, "that the soldiers lately taken prisoners at Brent-"ford, and discharged, and released by the king "upon their oaths that they would never again bear "arms against him, were not obliged by that oath;" but, by their power, absolved them thereof, and so engaged again those miserable wretches in a second rebellion. BOOK VI. 1642.

When the king discerned clearly that the enemies to peace had the better of him, and that there was now no farther thought of preparing propositions to be sent to him; after he had seen a line drawn about Reading, which he resolved to keep as a garrison, and the works in a reasonable forwardness, he left sir Arthur Aston, whom he had lately made commissary-general of the horse, (Mr. Wilmot being at the same time constituted lieutenant-general,) governor thereof, with a garrison of above two thousand foot, and a good regiment of horse: and himself with the rest of his army marched to Oxford, where he resolved to rest that winter, settling at the same time a good garrison at Wallingford, a place of great importance within eight miles of Oxford; another at the Brill upon the edge of Buckinghamshire; a third being before settled at Banbury; Abingdon being the head quarters for his horse; and by this means he had all Oxfordshire entire, all

The king having garrisoned Reading and Wallingford, and some other places, marches to Oxford.

BOOK VI. 1642.

Berkshire, but that barren division about Windsor; and from the Brill, and Banbury, a good influence upon Buckinghamshire and Northamptonshire.

Marlborough garrisoned by the parliament.

The king was hardly settled in his quarters, when he heard that the parliament was fixing a garrison at Marlborough in Wiltshire, a town the most notoriously disaffected of all that county; otherwise, saving the obstinacy and malice of the inhabitants, in the situation of it very unfit for a garrison. Thither the earl of Essex had sent one Ramsey, (a Scotsman, as very many[d] of their officers were of that nation,) to be governor; who, with the help of the factious people there, had quickly drawn together five or six hundred men. This place, the king saw, would soon prove[e] an ill neighbour to him; not only as it was in the heart of a rich county, and so would straiten, and even infest his quarters, (for it was within twenty miles of Oxford,) but as it did cut off his line of communication with the west: and therefore, though it was December, a season, when his tired and almost naked soldiers might expect rest, he sent a strong party of horse, foot, and dragoons, under the command of Mr. Wilmot, the lieutenant-general of his horse, to visit that town; who, coming thither on a Saturday, found the place strongly manned: for, besides the garrison, it being market-day, very many country people came thither to buy and sell, and were all compelled to stay and take arms for the defence of the place; which, for the most part, they were willing to do, and the people peremptory to defend it. Though there was no line about it, yet there were some places of great ad-

[d] very many] most [e] soon prove] prove quickly

vantage, upon which they had raised batteries, and planted cannon, and so barricadoed all the avenues, which were through deep narrow lanes, that the horse could do little service. BOOK VI. 1642.

When the lieutenant-general was, with his party, near the town, he apprehended a fellow, who confessed, upon examination, "that he was a spy, and "sent by the governor to bring intelligence of their "strength and motion." When all men thought, and the poor fellow himself feared, he should be executed, the lieutenant-general caused his whole party to be ranged in order in the next convenient place, and bid the fellow look well upon them, and observe them, and then bid him return to the town, and tell those that sent him, what he had seen, and withal that he should acquaint the magistrates of the town, "that they should do well to treat with the "garrison, to give them leave to submit to the king; "that if they did so, the town should not receive "the least prejudice; but if they compelled him to "make his way, and enter the town by force, it "would not be in his power to keep his soldiers "from taking that which they should win with their "blood:" and so dismissed him. This generous act proved of some advantage; for the fellow, transported with having his life given him; and the numbers of the men he had seen, besides his no experience in such sights, being multiplied by his fear, made notable relations of the strength, gallantry, and resolution of the enemy, and of the impossibility of resisting them; which, though it prevailed not with those in authority to yield, yet it strangely abated the hopes and courage of the people. So that when the king's soldiers fell on, after a volley

BOOK VI. 1642.

or two, in which much execution was done, they threw down their arms, and run into the town; so that the foot had time to make room for the horse; who were now entered at both ends of the town, yet were not so near an end as they expected; for the streets were in many places barricadoed, which were obstinately defended by some soldiers and townsmen, who killed many men out of the windows of the houses; so that, it may be, if they had trusted only to their own strength, without compelling the country men to increase their number, and who being first frighted, and weary, disheartened their companions, that place[f] might have cost more blood. Ramsey the governor was himself retired into the church with some officers, and from thence did some hurt; upon this, there being so many killed out of windows, fire was put to the next houses, so that a good part of the town was burned, and then the soldiers entered, doing less execution than could reasonably be expected; but what they spared in blood, they took in pillage, the soldiers inquiring little who were friends or foes.

Marlborough taken by the king's forces under lieutenant-general Wilmot.

This was the first garrison taken on either side; for Farnham castle in Surrey,[g] whither some gentlemen who were willing to appear for the king had repaired, and were taken with less resistance than was fit, by sir William Waller, some few days before, deserved not the name of a garrison. In this of Marlborough[h] were taken, besides the governor, and other officers, who yielded upon quarter, above

[f] that place] that vile place

[g] for Farnham castle in Surrey,] (for I cannot call Farnham castle in Surrey one,

[h] deserved not the name of a garrison. In this of Marlborough] and before it deserved the name of a garrison;) in which

one thousand prisoners; great stores[i] of arms, four pieces of cannon, and a good quantity of ammunition, with all which the lieutenant-general returned safe to Oxford: though this success[k] was a little shadowed, by the unfortunate loss of a very good regiment of horse within a few days after; for the lord Grandison, by the miscarriage of orders, was exposed, at too great a distance from the army, with his single regiment of horse consisting of three hundred,[l] and a regiment of two hundred dragoons, to the unequal encounter of a party of the enemy of five thousand horse and dragoons; and so was himself, after a retreat made to Winchester, there taken with all his party; which was the first loss of that kind[m] the king sustained; but without[n] the least fault of the commander; and the misfortune was much lessened by his making an escape[o] himself with two or three of his principal officers, who were very welcome to Oxford. BOOK VI. 1642.

The first thing the king applied himself to consult upon, after he was settled in his winter quarters, and despaired of any honest overtures for a peace, was, how to apply some antidote to that poison, which was sent into Scotland, in that declaration we mentioned before; the which he had not only seen, as an act communicated abroad and in many hands, but the Scottish earl of Lindsey, who was then a commissioner lieger at London for Scotland, had presented it[p] to him. And there was

[i] stores] store
[k] success] victory
[l] three hundred,] three hundred horse,
[m] of that kind] *Not in MS.*
[n] but without] and was without
[o] and the misfortune was much lessened by his making an escape] who lessened the misfortune much by making an escape
[p] it] *Not in MS.*

BOOK VI. 1642.

every day some motion in the house of commons to press the Scots, to invade the kingdom for their assistance, upon the growth of the earl of Newcastle's power in the north. And therefore, after full thoughts, the king writ to his privy-council of Scotland, (who, by the laws enacted when he was last there, had the absolute, indeed regal, power of that kingdom,) and took notice of that declaration, which had been sent to them, earnestly inviting, and in a manner challenging an[q] assistance from that his native kingdom of men and arms, for making a war against him, and making claim to that assistance by virtue of the late act of pacification.

The substance of the king's message to the privy-council of Scotland, upon occasion of the two houses' declaration to that kingdom.

He told them, "that, as he was at his soul afflicted, that it had been in the power of any factious, ambitious, and malicious persons, so far to possess the hearts of many of his subjects of England, as to raise this miserable distemper and distraction in this kingdom against all his real endeavours and actions to the contrary; so he was glad, that that rage and fury had so far transported them, that they applied themselves, in so gross a manner, to his subjects of Scotland; whose experience of his religion, justice, and love of his people, would not suffer them to believe those horrid scandals, laid upon his majesty: and their affection, loyalty, and jealousy of his honour, would disdain to be made instruments to oppress their native sovereign, by assisting an odious rebellion." He remembered them, "that he had from time to time acquainted his subjects of that kingdom with the accidents and circumstances which had disquieted this; how,

[q] an] *Not in MS.*

" after all the acts of justice, grace, and favour, per- 1642.
" formed on his part, which were or could be desired
" to make a people completely happy, he was driven,
" by the force and violence of rude and tumultuous
" assemblies, from his city of London, and his houses
" of parliament; how attempts had been made to
" impose laws upon his subjects, without his con-
" sent, and contrary to the foundation and constitu-
" tion of the kingdom; how his forts, goods, and
" navy, had been seized, and taken from him by
" force, and employed against him; his revenue, and
" ordinary subsistence, wrested from him: how he
" had been pursued with scandalous and reproach-
" ful language; bold, false, and seditious pasquils,
" and libels, publicly allowed against him; and had
" been told that he might, without want of modesty
" and duty, be deposed: that after all this, before
" any force raised by him, an army was raised, and
" a general appointed to lead that army against his
" majesty, with a commission to kill, slay, and de-
" stroy all such who should be faithful to him: that
" when he had been, by these means, compelled,
" with the assistance of his good subjects, to raise
" an army for his necessary defence, he had sent di-
" vers gracious messages, earnestly desiring that the
" calamities and miseries of a civil war might be
" prevented by a treaty; and so he might know the
" grounds of that misunderstanding: that he was
" absolutely refused to be treated with, and the
" army, (raised, as was pretended, for the defence of
" his person,) brought into the field against him,
" gave him battle; and, though it pleased God to
" give his majesty the victory, destroyed many of his
" good subjects, with as eminent danger to his own

BOOK VI. 1642.

" person, and his children, as the skill and malice of " desperate rebels could contrive.

" Of all which, and the other indignities, which " had been offered to him, he doubted not the duty " and affection of his Scottish subjects would have " so just a resentment, that they would express to " the world the sense they had of his sufferings: " and he hoped, his good subjects of Scotland were " not so great strangers to the affairs of this king- " dom, to believe that this misfortune and distrac- " tion was begot and brought upon him by his two " houses of parliament; though, in truth, no unwar- " rantable action against the law could be justified " even by that authority; but that they well knew " how the members of both houses had been driven " thence, insomuch that, of above five hundred mem- " bers of the house of commons, there were not then " there above fourscore; and, of above one hundred " of the house of peers, not above fifteen or sixteen; " all which were so awed by a multitude of ana- " baptists, Brownists, and other persons, desperate, " and decayed in their fortunes, in and about the " city of London, that, in truth, their consultations " had not the freedom and privilege which belong to " parliaments.[r]

" Concerning any commissions granted by his ma- " jesty to papists to raise forces, he referred them to " a declaration, lately set forth by him upon the oc- " casion of that scandal, which he likewise then sent " to them.[s] And for his own true and zealous af- " fection to the protestant religion, he would give no " other instance than his own constant practice, on

[r] parliaments.] parliament. [s] sent to them.] sent them.

" which malice itself could lay no blemish; and those many protestations he had made in the sight of Almighty God, to whom he knew he should be dearly accountable, if he failed in the observation. BOOK VI. 1642.

" For that scandalous imputation of his intention of bringing in foreign forces,[t] as the same was raised without the least shadow or colour of reason, and solemnly disavowed by his majesty, in many of his declarations; so there could not be a clearer argument to his subjects of Scotland that he had no such thought, than that he had hitherto forborne to require the assistance of that his native kingdom; from whose obedience, duty, and affection, he should confidently expect it, if he thought his own strength here too weak to preserve him; and of whose courage and loyalty he should look to make use, before he should think of any foreign aid to succour him. And he knew no reasonable or understanding man could suppose that they were obliged, or enabled, by the late act of parliament in both kingdoms, to obey the invitation that was made to them by that pretended[u] declaration, when it was so evidently provided for by that act, that as the kingdom of England should not war against the kingdom of Scotland, without consent of the parliament of England, so the kingdom of Scotland should not make war against the kingdom of England without the consent of the parliament of Scotland."

He told them, " if the grave counsel and advice, which they had given, and derived to the houses of parliament here, by their act of the 22d of April

[t] forces,] force,

[u] pretended] *Not in MS.*

BOOK VI. 1642.

"last, had been followed in a tender care of his royal "person, and of his princely greatness and autho- "rity, there would not that face of confusion have "appeared, which now threatened this kingdom: "and therefore he required them to communicate "what he then writ to all his subjects of that king- "dom, and to use their utmost endeavours to inform "them of the truth of his condition; and that they "suffered not the scandals and imputations laid on "his majesty by the malice, and treason of some "men, to make any impression in the minds of his "people, to the lessening or corrupting their affec- "tions and loyalty to him; but that they assured "them all, that the hardness he then underwent, "and the arms he had been compelled to take up, "were for the defence of his person and safety of "his life; for the maintenance of the true pro- "testant religion, for the preservation of the laws, "liberties, and constitution of this kingdom,[x] and "for the just privileges of parliament; and that he "looked no longer for a blessing from heaven, than "he endeavoured the defence and advancement of "all these: and, he could not doubt, a dutiful con- "currence in his subjects of Scotland, in the care of "his honour, and just rights, would draw down a "blessing upon that nation too."

Though his majesty well knew all the persons, to whom he directed this letter, to be those who were only able and willing to do him all possible disser- vice, yet he was sure by other instruments, if they neglected, which, for that reason, they were not like to do, to publish it to the people there; which he be-

[x] this kingdom,] the kingdom,

lieved might so far operate upon them, as the others would not be able to procure them to invade England; and other fruit of their allegiance he expected not, than that they should not rebel. BOOK VI. 1642.

His majesty's next care was the procuring money for the payment of his army; that the narrow circuit which contained his quarters might not be so intolerably oppressed with that whole burden. This[y] was a very difficult matter; for the soldiery already grew very high, and would obey no orders or rules but of their own making; and prince Rupert considered only the subsistence, and advance of the horse, as his province, and indeed as if it had been a province apart from the army; and therefore would by no means endure that the great contributions, which the counties within command willingly submitted to, should be assigned to any other use than the support of the horse, and to be immediately collected, and received by the officers. So that the several garrisons, and all the body of foot, were to be constantly paid, and his majesty's weekly expense for his house borne, out of such monies[z] as could be borrowed. For, of all his own revenue, he had not yet the receiving a penny within his power; neither did he think fit to compel any one, even such who were known to have contributed freely to the parliament, to supply him: only by letters, and all other gentle ways, he invited those who were able, to consider how much their own security and prosperity was concerned, and depended upon the preservation of his rights; and offered to sell any of

What means the king then used to raise money.

[y] This] And this

[z] monies] money

BOOK VI. 1642.

his lands, or to give any personal security for whatsoever money would be lent to him at interest: for he had directed a grant to be prepared of several parks, and forests, and other crown-lands, to many persons of honour and great fortune about him, whose estates and reputation were well known; who were ready to be personally bound for whatsoever sums could be borrowed.

The affection of the university of Oxford was most eminent: for, as they had before, when the troubles first broke out, sent the king above ten thousand pounds out of the several stocks of the colleges, and the purses of particular persons, many whereof lent him all they had; so they now again made him a new present.[a] By these means, and the loan of particular persons, especially from London, (for from thence, notwithstanding all the strict watch to the contrary, considerable sums were drawn,) the king, even above his hopes, was able to pay his foot, albeit it amounted to above three thousand pounds weekly, in such manner, that during the[b] whole winter there was not the least disorder for want of pay. And[c] then he used all possible care to encourage and countenance new levies of horse and foot, for the recruiting his army against the next spring.

The parliament's army[d] being now about London,

[a] so they now again made him a new present.] *Thus originally in MS.* so now they presented to him all the plate belonging to all their corporations, which being coined (for a mint was shortly erected there) amounted to about ten thousand pounds.

[b] the] that

[c] And] *Not in MS.*

[d] The parliament's army] The army

the officers[e] of it who were members of parliament attended that council diligently, upon which that[f] army alone depended; and, though they still seemed very desirous of peace, they very solemnly and severely prosecuted all those who really endeavoured it. Their partiality and injustice was so notorious, that there was no rule or measure of right in any matter depending before them, but consideration only of the affections and opinions of the persons contending; neither could any thing be more properly said of them, than what Tacitus once spoke of the Jews, *apud ipsos fides obstinata, misericordia in promptu, adversus omnes alios hostile odium.* Volumes would not contain the instances. But they found the old arguments of popery, the militia, and delinquents, for the justification of the war, grew every day of less reverence with the people; and that as the king's own religion was above any scandal they could lay upon it, so the regal power seemed so asserted by law, and the king, upon[g] all occasions, cited particular statutes for the vindication of his right, that whilst they confessed the sovereign power to be vested in him, all legal ministers had that dependence on him, that their authority would by degrees grow into contempt.

The king makes new sheriffs.

And of this disadvantage the season of the year put them in mind: for the king now, according to course, pricked sheriffs, and made such choice in all counties, that they foresaw the people were not like to be so implicitly at their disposal. Therefore, as they had before craftily insinuated the same in some particulars, they now barefaced avow, "that the so-

[e] officers] members [f] that] the [g] upon] on

BOOK VI. 1642.

" vereign power was wholly and entirely in them; " and that the king himself, severed from them, had " no regal power in him." Their clergy had hitherto been their champions, and wrested the scripture to their sense; their lawyers were now to vindicate their title, and they were not more modest in applying their profession to their service. As all places of scripture, or in the fathers, which were spoken of the church of Christ, are by the papists applied to the church of Rome; so whatsoever is written in any of the books of the law, or mentioned in the records, of the authority and effects of the sovereign power, and of the dignity and jurisdiction of parliament, was, by these men, alleged and urged for the power of the two houses, and sometimes for the single authority of the house of commons. Being supplied with the learning of these gentlemen, they declared, that " the sheriffs, then constituted by the " king, were not legal sheriffs, nor ought to execute, " or be submitted to in that office;" and ordered, " whomsoever the king made sheriff in any county, " to be sent for as delinquent:[h]" and because it seemed unreasonable, that the counties should be without that legal minister, to whom the law had intrusted its custody, it was proposed, " that they " might make a new great seal, and by that autho- " rity make sheriffs, and such other officers as they " should find necessary;" but for the present that motion was laid aside.

The king had appointed some of those prisoners who were taken in the battle of Keinton-field, and others apprehended in the act of rebellion, to be in-

[h] as delinquent:] as a delinquent;

dicted of high treason, upon the statute of the 25th year of king Edward the Third, before the lord chief justice, and other learned judges of the law, by virtue of his majesty's commission of oyer and terminer: the parliament[i] declared "all such indictments, and "all proceedings thereupon, to be unjust and il- "legal;" and inhibited the judges to proceed farther therein; declaring, (which was a stronger argument,) "that if any man were executed, or suffered hurt, "for any thing he had done by their order, the like "punishment should be inflicted, by death or other- "wise, upon such prisoners as were, or should be, "taken by their forces:" and in none of their[k] cases ever asked the judges what the law was. By the determination of the statute, and the king's refusal, which hath been mentioned before, to pass any new law to that purpose, there was no farther duty of tonnage and poundage due upon merchandise, and the statute made this very parliament involved all men in the guilt and penalty of a præmunire, who offered to receive it. The king published a proclamation upon that statute, "and required all men to "forbear paying that duty, and forbid all to receive "it." They again declared, "that no person, who "received those duties by virtue of their orders, was "within the danger of a præmunire, or any other "penalty whatsoever; because the intent and mean- "ing of that penal clause was only to restrain the "crown from imposing any duty or payment upon "the subjects, without their consent in parliament; "and was not intended to extend to any case where- "unto the lords and commons give their assent in "parliament." 1642.

[i] the parliament] they

[k] their] these

BOOK VI.

1642.

And that this sovereignty might be farther taken notice of than within the limits of this kingdom, they sent, with all formality, letters of credence, and instructions, and their agents, into foreign states and kingdoms.

The substance of the declaration of the lords and commons to the states general of the United Provinces.

By their agent to the United Provinces, where the queen was then residing, they had the courage, in plain terms, to accuse the prince of Orange "for supplying the king with arms and ammunition; for "licensing divers commanders, officers, and soldiers, "to resort into this kingdom to his aid." They remembered them "of the great help that they had re"ceived from this kingdom, when heretofore they "lay under the heavy oppression of their princes; "and how conducible the friendship of this nation "had been to their present greatness and power; "and therefore they could not think, that they "would be forward to help to make them slaves, "who had been so useful, and assistant in making "them free men; or that they would forget, that "their troubles and dangers issued from the same "fountain with their own; and that those who were "set awork to undermine religion and liberty in the "kingdom, were the same who by open force did "seek to bereave them of both." They told them, "it could not be unknown to that wise state, that "it was the jesuitical faction in this kingdom, that "had corrupted the counsels of the king, the con"sciences of a great part of the clergy; which "sought to destroy the parliament, and had raised "the rebellion in Ireland." They desired them therefore, "not to suffer any more ordnance, ar"mour, or any other warlike provision, to be brought "over to strengthen those, who, as soon as they

" should prevail against the parliament, would use " that strength to the ruin of those from whom " they had it." 1642.

They desired them, " they would not send over " any of their countrymen to farther[k] their destruc- " tion, who were sent to them for their preserva- " tion; that they would not anticipate the spilling " of English blood, in an unnatural civil war, which " had been so cheerfully and plentifully hazarded, " and spent, in that just and honourable war by " which they had been so long preserved, and to " which the blood of those persons, and many other " subjects of this kingdom, was still in a manner " dedicated; but rather that they would cashier, " and discard from their employment, those that " would presume to come over for that purpose." They told them, " the question between his majesty " and the parliament was not whether he should " enjoy the same prerogative and power, which had " belonged to their former kings, his majesty's royal " predecessors; but whether that prerogative and " power should be employed to their defence, or to " their ruin; that it could not be denied by those, " who look indifferently on their proceedings and " affairs, that it would be more honour and wealth, " safety and greatness to his majesty, in concurring " with his parliament, than in the course in which " he now is: but so unhappy had his majesty and " the kingdom been, in those who had the greatest " influence upon his counsels, that they looked more " upon the prevailing of their own party, than upon " any those great advantages, both to his crown

[k] farther] further

BOOK VI. 1642.

" and royal person, which he might obtain by join-
" ing with his people: and so cunning were those
" factors for popery, in prosecution of their own
" aims, that they could put on a counterfeit visage
" of honour, peace, and greatness, upon those courses
" and counsels, which had no truth and reality, but
" of weakness, dishonour, and miseries to his ma-
" jesty, and the whole kingdom."

They said, " they had lately expressed their earn-
" est inclinations to that national love and amity
" with the united provinces, which had been nou-
" rished and confirmed by so many civil respects,
" and mutual interests, as made it so natural to
" them, that they had, this parliament, in their
" humble petition to his majesty[m], desired, that
" they might be joined with that state in a more
" near and strait league and union: and they could
" not but expect some returns from them, of the
" like expressions; and that they would be so[n] far
" from blowing the fire, which begun[o] to kindle
" among them, that they would rather endeavour
" to quench it, by strengthening and encouraging
" them who had no other design but not to be de-
" stroyed, and to preserve their religion, save them-
" selves, and the other reformed churches of Christ-
" endom, from the massacres and extirpations, with
" which the principles of the Roman religion did
" threaten them all; which were begun to be acted
" in Ireland, and in the hopes, and endeavours, and
" intentions of that party had long since been exe-
" cuted upon them, if the mercy, favour, and bless-
" ing of Almighty God had not superabounded, and

[m] to his majesty] *Not in MS.*

[n] so] *Not in MS.*

[o] begun] began

"prevented the subtilty and malignity of cruel, BOOK VI.
"wicked, and bloodthirsty men."

With this specious despatch, in which were many 1642.
other particulars to render the king's cause ungracious, and their own very plausible, their agent, one Strickland, an obscure gentleman, was received by the States; and, notwithstanding the queen was then there, and the prince of Orange visibly inclined to assist the king with all his interests, and the interposition of the king's resident, did not only hinder the States from giving the least countenance to the king's cause, but really so corrupted the English in the army, and in that [p] court, that there was nothing designed to advance it by the prince of Orange himself, (who with great generosity supplied the king with arms and ammunition to a very considerable value,) or by the private activity and dexterity of particular persons, out of their own fortune, or by the sale or pawning of jewels, but intelligence was given soon enough to the parliament, either to get stops, and seizures upon it, by order of the state, or to intercept the supply by their navy at sea. So that much more was in that manner, and by that means, taken and intercepted at sea, than ever arrived at any port within his majesty's obedience: of which at that time he had only one, the harbour of Newcastle. With the same success they sent another agent to Brussels, who prevailed with don Francisco de Melos, then governor of Flanders, to discountenance always, and sometimes to prevent, the preparations which were there making by the king's ministers. And in France they

[p] that] the

BOOK VI. 1642.

had another agent, one Aulgier, a man long before in the constant pay of the crown; who, though he was not received, and avowed, (to put the better varnish upon their professions to the king,) by that crown, did them more service than either of the other; by how much more that people had an influence upon the distempers of the three kingdoms.

The inclinations of foreign kings and states in this cause between the king and parliament.

And as the parliament made all these addresses to foreign states and princes, which no parliament had ever done before, so it will be fit here to take notice how other princes appeared concerned on the king's behalf. The Spaniard was sufficiently incensed by the king's reception of the ambassadors of Portugal, and, which was more, entering into terms of amity and league with that crown, and had therefore contributed notable assistance to the rebellion in Ireland, and sent both arms and money thither. And since the extravagances of this parliament, the ambassador of Spain [q] had made great application to them.

The French, according to their nature, were much more active, and more intent upon blowing the fire. The former commotions in Scotland had been raised by the special encouragement, if not contrivance, of the cardinal Richelieu; who had carefully kept up and enlarged the old franchises of the Scots under that crown; which made a very specious show of wonderful grace and benefit, at a distance, to that nation, and was of little burden to the French; and, in truth, of little advantage to those who were in full possession of all those privileges [r]. Yet, by this means, the French have always had a very great

[q] of Spain] of that king [r] privileges] relations

influence upon the affections of that people, and opportunities to work great prejudice to that crown: as nothing was more visible than that, by the[s] cardinal's activity, all those late distempers in Scotland were carried on till his death, and, by his rules and principles, afterwards: the French ministers always making their correspondence with, and relation to those who were taken notice to be of the puritan party; which was understood to be in order only to the opposition of those counsels, which should at any time be offered on the behalf of Spain. BOOK VI. 1642.

Since the beginning of this parliament, the French ambassador, monsieur la Ferté, dissembled not to have notable familiarity with those who governed most in the two houses; discovered to them whatsoever he knew, or could reasonably devise to the prejudice of the king's counsels and resolutions; and took all opportunities to lessen and undervalue the king's regal power, by applying himself on public occasions of state, and in his master's name, and to improve his interest, to the two houses of parliament, (which had in no age before been ever known,) as in the business of transportation of men out of Ireland, before remembered; in which he caused, by the importunity of the two houses, his majesty's promise and engagement to the Spanish ambassador to be rendered of no effect. And, after that, he formally exhibited, in writing, a complaint to the two houses against sir Thomas Rowe, his majesty's extraordinary ambassador to the emperor, and princes of Germany, upon the treaty of an accommodation on the behalf of the prince elector and restitution of

[s] the] that

BOOK VI. 1642.

the palatinate, confidently avowing, "that sir Thomas Rowe had offered, on the king's part, to enter "into a league offensive and defensive with the "house of Austria, and to wed all their interests;" and, in plain terms, asked them, "whether they had "given sir Thomas [t] instructions to that purpose?" expressing a great value his master had of the affection of the parliament of England; which drew them to a return of much and unusual civility, and to assure the French king, "that sir Thomas Rowe "had no such instructions from them; and that "they would examine the truth of it; and would "be careful that nothing should be done and per-"fected in that treaty, which might reflect upon "the good of the French king." Whereas in truth there was not the least ground or pretence for that suggestion; sir Thomas Rowe having never made any such offer, or any thing like it. And when, after his return out of Germany, he expostulated with the French ambassador, for such an injurious, causeless information, he answered, "that [u] his mas-"ter had received such advertisement, and had "given him order to do what he did." So that it easily appeared, it was only a fiction of state, whereby they took occasion to publish, that they would take any opportunity to resort [x] to the two houses, and thereby to flatter them in their usurpation of any sovereign authority.

There is not a sadder consideration than this passion, and injustice, in Christian princes, (and I pray God the almighty justice be not angry, on this ac-

[t] sir Thomas] him
[u] that] that since
[x] would take any opportunity to resort] would on any occasion resort

count, with the government of kings, princes, and states,) [y] that they are seldom [z] so solicitous that the laws be executed, justice administered, and order performed [a] within their own kingdoms, as they are that all three may be disturbed and confounded amongst their neighbours. And [b] there is no sooner a spark of dissension, a discomposure in affections, a jealousy in understandings, discerned to be in [c] a neighbour province, or kingdom, to the hazarding the [d] peace thereof, but they, though in league and amity, with their utmost art and industry, make it their business to kindle that spark into a flame, and to contract and ripen all unsettled humours, and jealous apprehensions, into a peremptory discontent, and all discontent to sedition, and all sedition to open and professed rebellion. And they have rarely [e] so ample satisfaction in their own greatness, or so great a sense and value of God's blessing upon them, as when they have been instruments of drawing some notorious calamity upon their neighbours. As if the religion of princes were nothing but policy, and that they considered nothing more, than to make [f] all other kingdoms but their own miserable: and [g] because God hath reserved them to be tried only within his own jurisdiction, and before

[y] There is—and states,] *Thus in MS.:* There is not a sadder consideration (and I pray God the almighty justice be not angry with, and weary of the government of kings and princes, for it is a strange declension monarchical government is fallen to, in the opinion of the common people within these late years) than this passion and injustice, in Christian princes,

[z] seldom] not

[a] performed] preserved

[b] And] And therefore

[c] to be in] *MS. adds:* or to be easy to be infused into

[d] the] of the

[e] And they have rarely] And have never

[f] and that they considered nothing more than to make] enough to make

[g] and] and that

BOOK VI. 1642.

his own tribunal, that he means to try them too by other laws, and rules, than he hath published to the world for his servants to walk by. Whereas they ought to consider, that God hath placed them over his people as examples, and to give countenance to his laws by their own strict observation of them; and that as their subjects are to be defended and protected by their princes, [h] so they [i] themselves are to be assisted and supported by one another; the function of kings being an order [k] by itself: and as a contempt and breach of every law is, in the policy of state, [l] an offence against the person of the king, because there is a kind of violation [m] offered to his person in the transgression of that rule without which he cannot govern; so the rebellion of subjects against their prince ought to be looked upon, by all other kings, as an assault of their own sovereignty, and, in some degree, [n] a design against monarchy itself; and consequently to be suppressed, and extirpated, in what other kingdom soever it is, with the like [o] concernment as if it were in their own bowels.

Besides these indirect artifices, and activity before mentioned [p] in the French ambassador, very many of [q] the Hugonots in France (with whom this crown heretofore, it may be, kept too much correspondence) [r] were declared enemies to the king; and, in public and in secret, gave all possible assist-

[h] their princes,] them,
[i] they] *Not in MS.*
[k] an order] a classis
[l] state,] states,
[m] violation] violence
[n] in some degree,] *Not in MS.*
[o] the like] the same
[p] before mentioned] *Not in MS.*
[q] very many of] *Not in MS.*
[r] (with whom — correspondence)] *Thus originally in MS.:* from whom this crown heretofore received wonderful advantages

ance to those whose business was to destroy the church. And as this animosity proved of unspeakable inconvenience and damage to the king, throughout all these troubles, and of equal benefit to his enemies; so the occasion, from whence those disaffections grew, was very unskilfully and imprudently administered by the state here. Not to speak of the business of Rochelle, which, though it stuck deep in all, yet most imputed the counsels of that time to men that were dead, and not to a fixed design of the court; they had[s] a greater quarrel, which made them believe, that their very religion was persecuted by the church of England. 1642.

When the reformation of religion first begun[t] in England, in the time of king Edward the Sixth, very many, out of Germany and France, left their countries, where the reformation was severely persecuted, and transplanted themselves, their families, and estates, into England, where they were received very hospitably; and that king, with great piety and policy, by several acts of state, granted them many indemnities, and the free use of churches in London for the exercise of their religion: whereby the number of them increased; and the benefit to the kingdom, by such an access of trade, and improvement of manufactures, was very considerable. Which[u] queen Elizabeth finding, and well knowing that other notable uses of them might be made, enlarged their privileges by new concessions; drawing, by all means, great[x] numbers over, and suffering them to erect churches, and to enjoy the exercise of their re-

[s] they had] but they had
[t] begun] began
[u] Which] The which
[x] great] greater

BOOK VI. 1642.

ligion after their own manner, and according to their own ceremonies, in all places, where, for the convéniency of their trade, they chose to reside. And so they had churches in Norwich, Canterbury, and other places of the kingdom, as well as in London; whereby the wealth of those places marvellously increased. And, besides the benefit from thence, the queen made use of them in her great transactions of state in France, and the Low Countries, and, by the mediation and interposition of those people, kept an useful interest in that party, in all the foreign dominions where they were tolerated. The same charters of liberty were continued and granted to them, during the peaceable reign of king James, and in the beginning of this king's reign, although, it may be, the politic considerations in those concessions, and connivances, were neither made use of, nor understood.

Some few years before these troubles, when the power of churchmen grew more transcendent, and indeed the faculties and understandings of the lay-counsellors more dull, lazy, and unactive, (for, without the last, the first could have done no hurt,) the bishops grew jealous that the countenancing another discipline of the church here, by order of the state, (for those foreign congregations were governed by a presbytery, according to the custom and constitution of those parts of which they had been natives: they French, Dutch, and Walloons had the free use of several churches according to their own discipline,) would at least diminish the reputation and dignity of the episcopal government, and give some coun-

y the] for the

tenance[z] to the factious and schismatical party in England to hope for such a toleration.

Then there wanted not some fiery, turbulent, and contentious persons of the same congregations, who, upon private differences and contests, were ready to inform against their brethren, and to discover what, they thought, might prove of most prejudice to them; so that, upon pretence that they far exceeded the liberties which were granted to them, and that, under the notion of foreigners, many English separated themselves from the church, and joined themselves to those congregations, (which possibly was in part true,) the council-board connived at[a], or interposed not, whilst[b] the bishops did some acts of restraint, with which those congregations[c] grew generally discontented, and thought the liberty of their consciences to be taken from them; which caused in London[d] much complaining of this kind, but much more in the diocese of Norwich; where Dr. Wren, the bishop there, passionately and warmly[e] proceeded against them: so that many left the kingdom, to the lessening the wealthy manufacture there of kerseys, and narrow cloths, and, which was worse, transporting that mystery into foreign parts.

And, that this might be sure to look like more than what was necessary to the civil policy of the kingdom, whereas, in all former times, the ambassadors, and all foreign ministers of state, employed from England into any parts where the reformed re-

[z] countenance] hope and countenance

[a] at] *Not in MS.*

[b] whilst] that

[c] those congregations] that tribe

[d] which caused in London] and so in London there was

[e] warmly] furiously

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ligion was exercised, frequented their churches, gave all possible countenance to their profession, and held correspondence with the most active and powerful persons of that relation, and particularly the ambassador lieger at Paris[f] had diligently and constantly frequented the church at Charenton, and held a fair intercourse with those of that religion throughout the kingdom, by which they had still received advantage, that people being industrious and active to get into the secrets of the state, and so deriving all necessary intelligence to those whom they desired to gratify: the contrary to this[g] was now with great industry practised, and some advertisements, if not instructions, given to the ambassadors there, "to "forbear any extraordinary commerce with the "men of that profession.[h]" And the lord Scudamore, who was the last ordinary ambassador there, before the beginning of this parliament, whether by the inclinations[i] of his own nature, or by advice from others, not only declined going to Charenton, but furnished his own chapel, in his house, with such ornaments, (as candles upon the communion-table, and the like,) as gave great offence and umbrage to those of the reformation there[k], who had not seen the like: besides that he was careful to publish, upon all occasions, by himself, and those who had the nearest relation to him, "that the "church of England looked not on the Hugonots "as a part of their communion;" which was like-

[f] at Paris] *MS. adds:* from the time of the reformation that tribe.

[g] to this] whereof

[h] the men of that profession.]

[i] inclinations] inclination

[k] there] *Not in MS.*

wise too much and too industriously discoursed at home. BOOK VI. 1642.

They of the church of England[l] who committed the greatest errors this way, had, undoubtedly, not[m] the least thoughts of making alterations in it towards the countenancing of popery,[n] as hath been uncharitably conceived: but (having too just cause given them to dislike the passion, and licence, that was taken by some persons in the reformed churches, under the notion of conscience and religion, to the disturbance of the peace of kingdoms) unskilfully believed, that the total declining the interest of that party, where it exceeded the necessary bounds of reformation, would make this church of England looked upon with more reverence; and that thereby the common adversary, the papist, would abate somewhat of his arrogance and superciliousness; and that both parties,[o] piously considering the charity which religion should beget, might, if not unite, yet refrain from the bitterness and uncharitableness of contention in matters of opinion, and agree in[p] the practical duties of Christians and subjects. Thus,[q] contracting their considerations in too narrow a compass, these men[r] contented themselves with their pious intentions, without duly weighing objections, or the circumstances of policy. And some of our own communion, who[s] differed with them in opinion in this point, though they

[l] of the church of England] *Not in MS.*

[m] undoubtedly, not] no doubt,

[n] making alterations in it towards the countenancing of popery,] making any alterations in the church of England,

[o] and that both parties,] and so all parties,

[p] and agree in] severed from

[q] Thus,] And so,

[r] these men] *Not in MS.*

[s] And some of our own communion, who] And they who

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were in the right, not giving, and, it may be, not knowing the right reasons, rather confirmed than reformed them in their inclinations: neither of them discerning the true and substantial grounds of that[t] policy, upon which that good correspondence[u] had been founded, which they were now about to change: and so[x] the church of England, not giving the same countenance to those of the religion in foreign parts, which it had formerly done, no sooner was discerned to be under a cloud at home, but those of the religion abroad were glad of the occasion to publish their malice against her, and to enter into the same conspiracy against the crown, without which they could have done little hurt to the church.[x]

Now, to return to the course of our history;[y] after all discourses and motions for peace were, for a time, laid aside; and new thoughts of victory, and utterly subduing the king's party, again entertained; they found one trouble falling upon them, which they had least suspected, want of money; all their vast sums collected, upon any former bills, passed by the king for the relief of Ireland, and payment of the debt to the Scots, and all their money upon subscriptions of plate, and loans upon the public faith, which

[t] that] *Not in MS.*

[u] that good correspondence] those conclusions

[x] and so—to the church.] *Thus originally in MS. C.* It were therefore to be wished, that in all great acts of state some memorials should be kept, and always reserved in the archives of the crown, of the true motives and grounds of such acts, (which are seldom the same that appear publicly;) whereby posterity may duly discern, before any alteration or revocation, the policy thereof, and so take heed that that may not be looked upon as indifferent, which, rightly understood, is of a substantial consideration. This was the state of the king's affairs at home and abroad, when his standard was erected at Nottingham.

[y] Now, to return to the course of our history;] *Not in MS.*

amounted to incredible proportions, were even quite wasted; and their constant expense was so great, that no ordinary supply would serve their turn; and they easily discerned, that their money only, and not their cause, procured them soldiers of all kinds; and that they could never support their power, if their power was not able to supply them. All voluntary loans were at an end, and the public faith thought a security not to be relied on, and[z] by how much greater the difficulty was, by so much the more fatal would the sinking under it prove; and therefore it was with the more vigour to be resisted. In the end, they resolved upon the thorough[a] execution of their full sovereign power, and to let the people see what they might trust to; in which it is necessary to observe the arts and degrees of their motion.

New ways of raising money by the two houses.

They first ordered, "that committees should be "named in all counties, to take care for provisions "of victuals for the army, and also for the taking up "of horses for service in the field, dragooners and "draught horses, and for borrowing of money and "plate to supply the army: and upon certificate from "those[b] committees," (who had power to set what value or rates they pleased upon these provisions of any kind,) "the same should be entered with their "treasurer, who should hereafter repay the same." It was then alleged, "that this would only draw "supplies from their friends, and the well affected; "and that others, who either liked not their pro-"ceedings, or loved their money better than the "liberty of their country, would not contribute." Upon this it was ordered, "that in case the owners

[z] and] *Not in MS.* [a] thorough] full [b] those] these

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" refused to bring in money, provisions, plate, and " horse, upon the public faith, for the use of the " army; for the better preventing the spoil, and " embezzling of such provisions of money, plate, " and horses, by the disorder of the soldiers, and " that they may not come into the hands of the " enemies, that the committees, or any two of them, " should be authorized, and enabled to send for such " provisions, money, plate, and horses; and to take " the same into their custody, and to set indifferent " value and rate upon them; which value they " should certify to the treasurers, for the propor- " tions to be repaid at such time, and in such man- " ner, as should be ordered by both houses of par- " liament."

This was done only to shew what they meant to do over all England, and as a stock of credit to them. For at present it would neither supply their wants; neither was it seasonable for them, or indeed possible to endeavour the execution of it in many counties. London was the place from whence only their present help must come. To them therefore they declared, " that the king's army had made " divers assessments upon several counties, and the " subjects were compelled, by the soldiers, to pay " the same; which army, if it continued, would " soon ruin and waste the whole kingdom; and " overthrow religion, law, and liberty: that there " was no probable way, under God, for the suppress- " ing that army, and other ill affected persons, but " by the army raised by the authority of the parlia- " ment; which army could not be maintained, with- " out great sums of money; and for raising such " sums, there could be no act of parliament passed

" with his majesty's assent, albeit there was great
" justice that such money should be raised: that,
" hitherto, the army had been, for the most part,
" maintained by the voluntary contributions of well
" affected people, who had freely contributed ac-
" cording to their abilities: that there were divers
" others within the cities of London and Westmin-
" ster, and the suburbs, that had not contributed at
" all towards the maintenance of that army, or if
" they had, yet not answerable to their estates;
" who notwithstanding received benefit and protec-
" tion by the same army, as well as any others;
" and therefore it was most just, that they should,
" as well as others, be charged to contribute to the
" maintenance thereof."

Upon these grounds and reasons, it was ordained, " by the authority of parliament, that Isaac Pen-
" nington, the then lord mayor of London, and
" some other aldermen, and citizens, or any four of
" them, should have power and authority to nomi-
" nate, and appoint, in every ward, within the city
" of London, six such persons as they should think
" fit, who should have power to inquire of all who
" had not contributed upon the propositions con-
" cerning the raising of money, plate, &c. and of
" such able men who had contributed, yet not ac-
" cording to their estates and abilities; and those
" persons so substituted, or any four of them, within
" their several wards and limits, should have power
" to assess all persons of ability who had not con-
" tributed, and also those who had contributed, yet
" not according to their ability, to pay such sums of
" money, according to their estates, as the assessors,
" or any four of them, should think reasonable, so

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" as the same exceeded not the twentieth part of " their estates; and to nominate fit persons for the " receipt[r] thereof. And if any person so assessed " should refuse to pay the money so assessed upon " him, it should be lawful for the assessors and col- " lectors to levy that sum by way of distress, and " sale of the goods of persons so refusing. And if " any person distrained should make resistance, it " should be lawful for the assessors and collectors to " call to their assistance any of the trained bands of " London, or any other of[s] his majesty's subjects; " who were required to be aiding and assisting to " them. The[e] burgesses of Westminster and South- " wark, and a committee appointed to that purpose, " were to do the same within those limits, as the " other in London."

And that there might be no stratagem to avoid this tax, (so strange and unlooked for,) by a second ordinance in explanation of the former, they ordained, " that, if no sufficient distress could be " found for the payment of what should be assessed, " the collectors should have power to inquire of any " sum of money due to those persons so assessed, " from what persons soever, for rents, goods, or " debts, or for any other thing or cause whatsoever. " And the collectors had power to receive all such " debts, until the full value of the sums so assessed, " and the charges in levying or recovering the same, " should be satisfied: and lest the discovery of those " debts might be difficult, the same collectors had " power to compound for any rents, goods, or debts, " due to such persons so assessed, with any person

[r] receipt] collection [s] of] *Not in MS.* [e] The] And the

"by whom the same was due, and to give full dis- "charges for the money so compounded for, which "should be good and effectual to all purposes. And "if the money assessed could not be levied by any "of these ways, then the persons assessed should be "imprisoned in such places of the kingdom, and for "so long time, as the committee of the house of "commons for examinations should appoint, and "order; and the families of all such persons so im- "prisoned should no longer remain within the cities "of London or Westminster, the suburbs, or the "counties adjacent. And all assessors and collectors "should have the protection of both houses of par- "liament, for their indemnity in that service, and "receive allowance for their pains and charges." Several additional and explanatory orders they made for the better execution of this grand one, by every of which some clause of severity, and monstrous irregularity, was added; and, for the complement of all, they ordered that themselves, the members of either house, should not be assessed by any[f] but themselves.

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The truth is, the king was not sorry to see this ordinance, which he thought so prodigious, that he should have been a greater gainer by it than they that made it; seeing it was[g] so palpable and clear a demonstration of the tyranny the people were to live under, that they would easily have discerned the change of their condition: yet he took so much pains, to awaken his subjects to a due apprehension of it, and to apply the thorough consideration of it to them, that he published a declaration upon that

[f] by any but themselves.] by any body.

[g] seeing it was] which he thought

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ordinance; the which, presenting many things to them, which have since fallen out, may be, in this place, fit to be inserted in the king's own words, which were these:

His majesty's declaration upon occasion of the former ordinance.

"It would not[h] be believed, (at least great pains "have been taken that it might not,) that the pre- "tended ordinance of the militia, (the first attempt "that ever was, to make a law by ordinance, with- "out our consent,) or the keeping us out of Hull, "and taking our arms and ammunition from us, "could any way concern the interest, property, or "liberty of the subject: and it was confessed, by "that desperate declaration itself of the 26th of "May, that if they were found guilty of that charge "of destroying the title and interest of our subjects "to their lands and goods, it were indeed a very "great crime. But it was a strange fatal lethargy "which had seized our good people, and kept them "from discerning that the nobility, gentry, and "commonalty of England were not only stripped of "their preeminences[i] and privileges, but of their li- "berties and estates, when our just rights were de- "nied us; and that no subject could from thence- "forth expect to dwell at home, when we were "driven from our houses and our towns. It was "not possible, that a commission could be granted "to the earl of Essex, to raise an army against us, "and, for the safety of our person, and preservation "of the peace of the kingdom, to pursue, kill, and "slay us, and all who wish well to us, but that, in "a short time, inferior commanders, by the same "authority, would require our good subjects, for the

[h] It would not] *This declaration is in the handwriting of lord Clarendon's secretary.*

[i] preeminences] preeminence

"maintenance of the property of the subject, to "supply them with such sums of money as they "think fit, upon the penalty of being plundered "with all extremity of war, (as the title of sir Edward Bainton's warrant runs, against our poor "subjects in Wiltshire,) and by such rules of unlimited arbitrary power as are inconsistent with "the least pretence or shadow of that property, it "would seem to defend.

"If there could be yet any understanding so unskilful and supine to believe, that these disturbers "of the public peace do intend any thing but a general confusion, they have brought them a sad "argument to their own doors to convince them. "After this ordinance and declaration, it is not in "any sober man's power to believe himself to be "worth any thing, or that there is such a thing as "law, liberty, or property, left in England, under "the jurisdiction of these men. And the same "power that robs them now of the twentieth part "of their estates, hath, by that, but made a claim, "and entitled itself to the other nineteen, when it "shall be thought fit to hasten the general ruin. "Sure, if the minds of all men be not stubbornly "prepared for servitude, they will look on this ordinance, as the greatest prodigy of arbitrary power "and tyranny, that any age hath brought forth in "any kingdom. Other grievances (and the greatest) have been conceived intolerable, rather by the "logic and consequence, than by the pressure itself: this at once sweeps away all that the wisdom and justice of parliaments have provided for "them. Is their property in their estates, (so carefully looked to by their ancestors, and so amply

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"established by us, against any possibility of invasion from the crown,) which makes the meanest "subject as much a lord of his own as the greatest "peer, to be valued, or considered? Here is a twentieth part of every man's estate, or so much as "four men will please to call the twentieth part, "taken away at once, and yet a power left to take "a twentieth still of that which remains; and this "to be levied by such circumstances of severity, as "no act of parliament ever consented to.

"Is their liberty, which distinguishes subjects "from slaves, and in which this freeborn nation "hath the advantage of all Christendom, dear to "them? They shall not only be imprisoned in such "places of this kingdom, (a latitude of judgment no "court can challenge to itself in any cases,) but for "so long time as the committee of the house of "commons for examination shall appoint and order: the house of commons itself having never "assumed, or in the least degree pretended to, a "power of judicature; having no more authority to "administer an oath, the only way to discover and "find out the truth of facts, than to cut off the "heads of any of our subjects: and this committee "being so far from being a part of the parliament, "that it is destructive to the whole, by usurping to "itself all the power of king, lords, and commons. "All who know any thing of parliaments know "that a committee of either house ought not, by "the law, to publish their own results; neither are "their conclusions of any force, without the confirmation of the house, which hath the same power "of controlling them, as if the matter had never "been debated. But that any committee should be

"so contracted, (as this of examination, a style no committee ever bore before this parliament,) as to exclude the members of the house, who are equally trusted by their country, from being present at the counsels, is so monstrous to the privileges of parliament, that it is no more in the power of any man to give up that freedom, than of himself to order, that, from that time, the place for which he serves shall never more send a knight or burgess to the parliament; and in truth is no less than to alter the whole frame of government, to pull up parliaments by the roots, and to commit the lives, liberties, and estates, of all the people of England to the arbitrary power of a few unqualified persons, who shall dispose thereof according to their discretion, without account to any rule or authority whatsoever.

"Are their friends, their wives, and children, the greatest blessings of peace, and comforts of life, precious to them? Would their penury and imprisonment be less grievous by those cordials? They shall be divorced from them, banished, and shall no longer remain within the cities of London and Westminster, the suburbs and the counties adjacent; and how far those adjacent counties shall extend no man knows. Is there now any thing left to enjoy but the liberty to rebel, and destroy one another? Are the outward blessings only of peace, property, and liberty, taken and forced from our subjects? Are their consciences free and unassaulted by the violence of these firebrands? Sure the liberty and freedom of conscience cannot suffer by these men. Alas! all these punishments are imposed upon them, be-

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"cause they will not submit to actions contrary to "their natural loyalty, to their oaths of allegiance "and supremacy, and to their late voluntary pro- "testation, which obliges them to the care of our "person, and our just rights.

"How many persons of honour, quality, and re- "putation, of the several counties of England, are "now imprisoned, without any objections against "them, but suspicion of their loyalty! How many "of the gravest and most substantial citizens of "London, by whom the government and discipline "of that city was preserved, are disgraced, robbed, "and imprisoned, without any process of law, or "colour of accusation, but of obedience to the law "and government of the kingdom! whilst anabap- "tists and Brownists, with the assistance of vicious "and debauched persons of desperate fortunes, take "upon them to break up and rifle houses, as public "and avowed ministers of a new-invented authority. "How many godly, pious, and painful divines, whose "lives and learning have made them of reverend "estimation, are now slandered with inclination to "popery, discountenanced, and imprisoned, for dis- "charging their consciences, instructing the people "in the Christian duty of religion and obedience! "whilst schismatical, illiterate, and scandalous "preachers fill the pulpits and churches with blas- "phemy, irreverence, and treason; and incite their "auditory to nothing but murder and rebellion.

"We pass over the vulgar charm, by which they "have captivated such who have been contented to "dispense with their consciences for the preserva- "tion of their estates, and by which they persuade "men cheerfully to part with this twentieth part of

"their estates to the good work in hand. For whosoever will give what he hath may escape robbing. They shall be repaid upon the public faith, "as all other monies lent upon the propositions of "both houses. It may be so. But men must be "condemned to a strange unthriftiness, who will "lend upon such security. The public faith indeed "is as great an earnest as the state can give, and "engages the honour, reputation, and honesty of the "nation, and is the act of the kingdom: it is the "security of the king, the lords, and commons, which "can never need an executor, can never die, never "be bankrupt; and therefore we willingly consented to it for the indemnity of our good subjects of "Scotland, (who, we hope, will not think the worse "of it for being so often and so cheaply mentioned "since.) But that a vote of one, or both houses, "should be an engagement upon the public faith, is "as impossible as that the committee of the house "of commons for examination should be the high "court of parliament.

"And what is or can be said, with the least shadow of reason, to justify these extravagances? We "have not heard lately of the fundamental laws, "which used to warrant the innovations: these need "a refuge even below those foundations. They will "say, they cannot manage their great undertakings "without such extraordinary ways. We think so "too. But that proves only, they have undertaken "somewhat they ought not to undertake, not that "it is lawful for them to do any thing that is convenient for those ends. We remembered them "long ago, and we cannot do it too often, of that "excellent speech of Mr. Pym's. The law is that

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"which puts a difference betwixt good and evil, "just[k] and unjust: if you take away the law, all "things will be in a confusion, every man will be- "come a law unto himself; which, in the depraved "condition of human nature, must needs produce "many great enormities. Lust will become a law, "and envy will become a law, covetousness and am- "bition will become laws; and what dictates, what "decision, such laws will produce, may easily be dis- "cerned: it may indeed by sad[l] instances over the "whole kingdom.

"But will posterity believe, that, in the same "parliament, this doctrine was avowed with that "acclamation, and these instances after produced? "That, in the same parliament, such care was taken "that no man should be committed in what case "soever, without the cause[m] of his imprisonment "expressed; and that all men should be immedi- "ately bailed in all cases bailable; and, during the "same parliament, that alderman Pennington, or in- "deed any body else, but the sworn ministers of "justice, should imprison whom they would, and "for what they would, and for as long time as they "would? That the king should be reproached with "breach of privilege, for accusing sir John Hotham "of high treason, when with force of arms he kept "him out of Hull, and despised him to his face, "because in no case a member of either house might "be committed, or accused without leave of that "house of which he is a member; and yet that, "during the same parliament, the same alderman "shall commit the earl of Middlesex, a peer of the

[k] just] betwixt just [l] sad] these sad [m] cause] case

" realm, and the lord Buckhurst, a member of the
" house of commons, to the counter, without repre-
" hension? That to be a traitor (which is defined,
" and every man understands) should be no crime;
" and to be called malignant, which nobody knows
" the meaning of, should be ground enough for close
" imprisonment? That a law should be made, that
" whosoever should presume to take tonnage and
" poundage without an act of parliament, should in-
" cur the penalty of a præmunire; and, in the same
" parliament, that the same imposition should be
" laid upon our subjects, and taken by order of both
" houses, without and against our consent? Lastly,
" that, in the same parliament, a law should be
" made to declare the proceedings and judgment
" upon ship-money to be illegal, and void; and, dur-
" ing that parliament, that an order of both houses
" shall, upon pretence of necessity, enable four men
" to take away the twentieth part of their estates
" from all their neighbours, according to their dis-
" cretion.

" But our good subjects will no longer look upon
" these and the like results, as upon the counsels
" and conclusions of both our houses of parliament;
" (though all the world knows, even that authority
" can never justify things unwarrantable by the law.)
" They well know how few of the persons trusted
" by them are trusted at their consultations, of above
" five hundred of the commons[n] not fourscore; and
" of the house of peers, not a fifth part: that they
" who are present enjoy not the privilege and free-

[n] of the commons] *These words are inserted by lord Clarendon himself; which shews that his lordship revised this transcript of his amanuensis.*

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" dom of parliament, but are besieged by an army, " and awed by the same tumults which drove us " and their fellow members from thence, to consent " to what some few seditious, schismatical persons " among them do propose. These are the men, who, " joining with the anabaptists and Brownists of Lon- " don, first changed the government and discipline " of that city; and now, by the pride and power of " that city, would undo the kingdom: whilst their " lord mayor, a person accused and known to be " guilty of high treason, by a new legislative power " of his own, suppresses and reviles the Book of " Common Prayer, robs and imprisons whom he " thinks fit; and, with the rabble of his faction, " gives laws to both houses of parliament, and tells " them, *They will have no accommodation:* whilst " the members sent, and intrusted by their coun- " tries, are expelled the house, or committed, for " refusing to take the oath of association to live and " die with the earl of Essex, as very lately sir Syd- " ney Mountague. These are the men who have " presumed to send ambassadors, and to enter into " treaties with foreign states in their own behalf,[o] " having at[p] this time an agent of their own with " the states of Holland, to negociate for them upon " private instructions: these are the[q] men who, not " thinking they have yet brought mischief enough " unto this kingdom, at this time invite and solicit " our subjects of Scotland, to enter this land with " an army against us: in a word, these are the men " who have made this last devouring ordinance to " take away all law, liberty, and property from our " people, and have by it really acted that upon our

[o] behalf,] behalfs, [p] at] all [q] the] *Not in MS.*

" people, which with infinite malice, and no colour 1642.
" or ground, was laboured to be infused into them,
" to have been our intention by the commissions of
" array.

" We have done: What power and authority these
" men have, or will have, we know not: for ourself,
" we challenge none such. We look upon the pres-
" sures and inconveniences our good subjects bear,
" even by us, and our army, (which the army first[r]
" raised by them enforced us to raise[s] in our de-
" fence, and their refusal of all offers and desires of
" treaty enforceth us to keep,) with very much sad-
" ness of heart. We are so far from requiring a
" twentieth part of their estates, though for their
" own visible preservation, that, as we have already
" sold or pawned our own jewels, and coined our
" own plate, so we are willing to sell all our own
" lands and houses for their relief: yet we do not
" doubt but our good subjects will seriously consider
" our condition, and their own duties, and think our
" readiness to protect them with the utmost hazard
" of our life, deserves their readiness to assist us
" with some part of their fortunes; and, whilst other
" men give a twentieth part of their estates to en-
" able them to forfeit the other nineteen, that they
" will extend themselves to us in a liberal and free
" proportion, for the preservation of the rest, and
" for the maintenance of God's true religion, the
" laws of the land, the liberty of the subject, and the
" safety and very being of parliaments, and this king-
" dom: for if all these ever were, or can be, in ma-
" nifest danger, it is now in this present rebellion
" against us.

[r] first] *Not in MS.* [s] raise] levy

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"Lastly, we will and require all our loving subjects, of what degree or quality soever, as they will answer it to God, to us, and to posterity, by their oaths of allegiance and supremacy; as they would not be looked upon now, and remembered hereafter, as betrayers of the laws and liberties they were born to; that they in no degree submit to this wild pretended ordinance, and that they presume not to give any encouragement or assistance to the army now in rebellion against us; which if notwithstanding they shall do, they must expect from us the severest punishment the law can inflict, and a perpetual infamy with all good men."

Whatsoever every man could say to another against that ordinance, and whatsoever the king said to them all against it, it did bring in a great supply of money, and gave them a stock of credit to borrow more; so that the army was again drawn out, though but to winter quarters, twenty miles from London, and the earl of Essex fixed his head quarters at Windsor, to straiten the king's new garrison at Reading, and sent strong parties still abroad, which got as much ground as, at that time of the year, could reasonably be expected; that is, brought those adjacent counties entirely under the obedience of the parliament, which would at least have kept themselves neutral: and still persuaded the people, "that their work was even at an end, "and that the king's forces would be swallowed up "in a very short time:" so that there was no day, in which they did not publish themselves to have obtained some notable victory, or taken some town, when in truth each party wisely abstained from disturbing the other: yet the bulk of their supply came

only from the city of London. For though their ordinance[t] extended over the whole kingdom, they[u] had power to execute it[v] only there; for it was not yet time to try the affections of all places within their own verge, with the severe exercise of that authority. BOOK VI. 1642.

And therefore divers of the wealthiest and most substantial citizens of London, observing liberty to be taken by all men to petition the houses, and the multitude of the petitioners to carry great authority with them, and from those multitudes, and that authority, the brand to have been laid upon the city, "of being an enemy to peace," met together, and prepared a very modest and moderate petition to the houses; in which they desired "such[x] propositions "and addresses might be made by them to his ma- "jesty, as[y] he might with his honour comply with,[z] "and thereby a happy peace ensue;" which,[a] being signed by many thousand hands, was ready to be presented, but was not received[b] by the house of commons, for no other reason publicly given, but "that it was prepared by a multitude;" and objections were framed against the principal promoters of it, upon other pretences of delinquency; so[c] that they were compelled to forsake the town, and[d] that party were,[e] for the present, discountenanced.

At the same time the inhabitants of Westminster, St. Martin's, and Covent-garden, who always underwent the imputation of being well affected to the king, prepared the like petition, and met with the 1643.

[t] ordinance] ordinances
[u] they] yet they
[v] it] them
[x] such] that such
[y] as] that
[z] with,] with them,
[a] which,] the which,
[b] not received] rejected
[c] so] *Not in MS.*
[d] and] and so
[e] were,] was,

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same reproach, being strictly inhibited to approach the houses with more than six in company. This unequal kind of proceeding added nothing to their reputation, and they easily discerned those humours, thus obstructed, would break out the more violently: therefore they again resumed all professions of a desire of peace, and appointed a committee to prepare propositions to be sent to the king to that purpose; and because they found that would be a work of time, (for the reasons which will be anon remembered,) and that many arts were to be applied to the several affections, and to wipe out the imagination that the city desired peace upon any other terms than they did, and the disadvantage that accrued to them by such imagination, and also to stay the appetite of those who were importunate to have any advance made towards peace, having procured, by the activity of their agents and ministers, to have such a common-council chosen for the city, as would undoubtedly comply with their desires and designs, they underhand directed their own mayor to engage that body in such a petition to his majesty, as, carrying the sense and reputation of the whole city, might yet signify nothing to the prejudice of the two houses; and so a petition was framed in these words:

To the king's[f] most excellent majesty;

The humble petition of the mayor, aldermen, and commons of the city of London,

A petition of the city to the king.

"Sheweth,

"That the petitioners, your majesty's most hum-

[f] To the king's] *This petition is in the handwriting of lord Clarendon's amanuensis.*

" ble and loyal subjects, being much pierced with " the long and great divisions between your ma- " jesty and both your houses of parliament, and with " the sad and bloody effects thereof, both here and " in Ireland, are yet more deeply wounded by the " misapprehension, which your majesty seemeth to " entertain of the love and loyalty of this your city, " as if there were some cause of fear, or suspicion of " danger to your royal person, if your majesty should " return hither; and that this is made the unhappy " bar to that blessed reconciliation with your great " and most faithful council for preventing that de- " solation, and destruction, which is now most ap- " parently imminent to your majesty, and all your " kingdoms. 1643.

" For satisfaction therefore of your majesty, and " clearing of the petitioners' innocency, they most " humbly declare, as formerly they have done, that " they are no way conscious of any disloyalty, but " abhor all thoughts thereof; and that they are re- " solved to make good their late solemn protesta- " tion, and sacred vow, made to Almighty God; " and, with the last drop of their dearest bloods, to " defend and maintain the true reformed protestant " religion, and, according to the duty of their alle- " giance, your majesty's royal person, honour, and " estate, (whatsoever is maliciously and falsely sug- " gested to your majesty to the contrary,) as well as " the power and privileges[h] of parliament, and the " lawful rights and liberty[i] of the subject: and do " hereby engage themselves, their estates, and all " they have, to their utmost[k] power, to defend and

[h] privileges] privilege [i] liberty] liberties [k] utmost] uttermost

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"preserve your majesty, and both houses of parliament, from all tumults, affronts, and violence, with "as much loyalty, love, and duty, as ever citizens "expressed towards your majesty, or any of your "royal progenitors in their greatest glory.

"The petitioners therefore, upon their bended "knees, do most humbly beseech your majesty, to "return to your parliament, (accompanied with your "royal, not martial attendance,) to the end that re-"ligion, laws, and liberties, may be settled and se-"cured, and whatsoever is amiss in church and com-"monwealth reformed by their advice, according to "the fundamental constitutions of this kingdom: "and that such a peace may thereby be obtained, as "shall be for the glory of God, the honour and hap-"piness of your majesty and posterity, and welfare "of all your loyal subjects; who, (the petitioners are "fully assured,) whatsoever is given out to the con-"trary, do unanimously desire the peace herein ex-"pressed."

Though this petition was in effect no other than to desire the king to disband his army, and to put himself into the absolute disposal of the parliament, and therefore all wise men concluded that no great progress would be made by it towards peace; yet so sotted and infatuated were the people, that, upon this very petition, they were prevailed with[1] to submit to another subscription for money and plate, for the necessary provision of arms, ammunition, and pay of their army, until their disbanding and return home to their several counties: that so they might

[1] they were prevailed with] they prevailed with the people

not be occasioned, through want of pay, to plunder, rob, or pillage by the way homewards, after their discharge and dismission. So that men were persuaded that this was now the last tax they should be invited to, though every one of those ordinances and declarations loaded the king with some new calumnies and reproaches, that it was plain the authors of them meant not so soon to put themselves under his subjection.

This petition was, about the tenth of January, 1642-3, presented to the king at Oxford, by some aldermen, and others of the common council, who were for the most part of moderate inclinations. The king considered sadly what answer to return; for, albeit it appeared that the petition had been craftily framed by those who had no thoughts of peace, and that there was no argument in it to hope any good from that people; yet there were, to vulgar understandings, very specious and popular professions of great piety, and zeal to his service, and care of his security; and he was to be very tender in seeming to doubt the inclinations and affections of that city, by whose strength chiefly[m] the war was supported, and that strength procured by corrupting those affections: and therefore the king was not sorry to have this opportunity of saying somewhat, and communicating himself freely to the city, being persuaded, that the ill they did, proceeded rather from misinformation, than any general or[n] habitual malice in them. All his proclamations, messages, and declarations, had been with so much industry suppressed there, that they were not in truth gene-

[m] chiefly] alone [n] or] and

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rally informed of the matter of fact, and the justice of the king's cause; and therefore he was persuaded that if he enlarged himself, in his answer to this petition, and exposed those few men who were most notoriously malignant against the government of the church and state, and who were generally known to be so, to the knowledge of the people, that it would at least lessen their power and ability to do hurt: and so he resolved to return an answer to them in these words:

The king's answer.

"That his majesty[o] doth not entertain any misap-
"prehension of the love and loyalty of his city of
"London; as he hath always expressed a singular
"regard and esteem of the affections of that city,
"and is still desirous to make it his chief place of
"residence, and to continue, and renew many marks
"of his favour to it; so he believes, much the better
"and greater part of that his city is full of love,
"duty, and loyalty to his majesty; and that the tu-
"mults which heretofore forced his majesty, for his
"safety, to leave that place, though they were con-
"trived and encouraged by some principal members
"thereof, (who are since well known, though they
"are above the reach of justice,) consisted more of
"desperate persons of the suburbs, and the neighbour-
"ing towns, (who were misled too by the cunning
"and malice of their seducers,) than of the inha-
"bitants of that city. He looks on his good sub-
"jects there as persons groaning under the same
"burden which doth oppress his majesty, and awed
"by the same persons who begot[p] those tumults,

[o] That his majesty] *In the handwriting of lord Clarendon's amanuensis.*

[p] begot] begat

" and the same army which gave battle to his ma-
" jesty: and therefore, as no good subject can more
" desire, from his soul, a composure of the general
" distractions; so no good citizen can more desire
" the establishment of the particular peace and pros-
" perity of that place, by his majesty's access thither,
" than his majesty himself doth.

" But his majesty desires his good subjects of
" London seriously to consider, what confidence his
" majesty can have of security there, whilst the laws
" of the land are so notoriously despised, and trampled
" under foot, and the wholesome government of that
" city, heretofore so famous over all the world, is
" now submitted to the arbitrary power of a few des-
" perate persons, of no reputation, but for malice
" and disloyalty to him; whilst arms are taken up,
" not only without, but against his consent and ex-
" press command, and collections publicly made, and
" contributions avowed, for the maintenance of the
" army which hath given him battle, and therein
" used all possible means treason and malice could
" suggest to them, to have taken his life from him,
" and to have destroyed his royal issue; whilst such
" of his majesty's subjects, who, out of duty and af-
" fection to his majesty, and compassion of their
" bleeding country, have laboured for peace, are re-
" viled, injured, and murdered, even by the magis-
" trates of that city, or by their directions: lastly,
" what hopes his majesty can have of safety there,
" whilst alderman Pennington, their pretended lord
" mayor, the principal author of those calamities
" which so nearly threaten the ruin of that famous
" city, Ven, Foulke, and Manwairing, all persons
" notoriously guilty of schism and high treason, com-

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" mit such outrages, in oppressing, robbing, and im-
" prisoning, according to their discretion, all such his
" majesty's loving subjects, whom they are pleased
" to suspect for but[q] wishing well to his majesty.

" And his majesty would know, whether the pe-
" titioners believe, that the reviling and suppressing
" the book of common prayer, established in this
" church ever since the reformation, the discoun-
" tenancing and imprisoning godly, learned, and
" painful preachers, and the cherishing and coun-
" tenancing of Brownists, anabaptists, and all man-
" ner of sectaries, be the way to defend and main-
" tain the true reformed protestant religion? That
" to comply with and assist persons who have ac-
" tually attempted to kill his majesty, and to allow
" and favour libels, pasquils, and seditious sermons
" against his majesty, be to defend his royal person,
" and honour, according to the duty of their alle-
" giance? Whether to imprison men's persons, and
" to plunder their houses, because they will not rebel
" against his majesty, nor assist those that do;
" whether to destroy their property by taking away
" the twentieth part of their estates from them, and,
" by the same arbitrary power, to refer to four
" standers-by, of their own faction, to judge what
" that twentieth part is, be to defend the lawful
" rights and liberties of the subject? And if they
" think these actions to be instances of either;
" whether they do not know the persons before
" named to be guilty of them all? or whether they
" think it possible, that Almighty God can bless
" that city, and preserve it from destruction, whilst

[q] for but] but for

" persons of such known guilt and wickedness are " defended, and justified among them, against the " power of that law, by which they can only sub- " sist.

" His majesty is so far from suffering himself to be " incensed against the whole city, by the actions of " these ill men, though they have hitherto been so " prevalent, as to make the affections of the rest of " little use to him; and is so willing to be with " them, and to protect them, that the trade, wealth, " and glory thereof, so decayed and eclipsed by these " public distractions, may again be the envy of all " foreign nations, that he doth once more graciously " offer his free and general pardon to all the inha- " bitants of that his city of London, the suburbs and " city of Westminster, (except the persons formerly " excepted by his majesty,) if they shall yet return " to their duty, loyalty, and obedience. And if his " good subjects of that his city of London shall first " solemnly declare, that they will defend the known " laws of the land, and will submit to, and be go- " verned by, no other rule; if they shall first mani- " fest, by defending themselves, and maintaining " their own rights, liberties, and interests, and sup- " pressing any force and violence unlawfully raised " against those and his majesty, their power to de- " fend and preserve him from all tumults, affronts, " and violence: lastly, if they shall apprehend, and " commit to safe custody, the persons of those four " men who enrich themselves by the spoil and op- " pression of his loving subjects, and the ruin of the " city, that his majesty may proceed against them " by the course of law, as guilty of high treason; his " majesty will speedily return to them with his royal,

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" and without his martial attendance, and will use " his utmost endeavours,[r] that they may hereafter " enjoy all the blessings of peace and plenty; and " will no longer expect obedience from them, than " he shall, with all the faculties of his soul, labour " in the preserving and advancing the true reformed " protestant religion, the laws of the land, the liberty " and property of the subjects, and the just pri- " vileges of parliament.

" If, notwithstanding all this, the art and interest " of these men can prevail so far, that they involve " more men in their guilt, and draw that his city to " sacrifice its present happiness, and future hopes, to " their pride, fury, and malice, his majesty shall only " give them this warning: that whosoever shall " henceforward take up arms, without his consent, " contribute any money or plate, upon what pretence " of authority soever, for maintenance of the army " under the command of the earl of Essex, or any " other army in rebellion against him, or shall pay " tonnage and poundage, till the same shall be " settled by act of parliament, every such person " must expect the severest punishment the law can " inflict; and, in the mean time, his majesty shall " seize upon any part of his estate within his power, " for the relief and support of him and his army, " raised and maintained for the defence of his person, " the laws, and this his kingdom: and since he de- " nies to his majesty the duty and benefit of his sub- " jection, by giving assistance to rebels, which, by " the known laws of the land, is high treason; his " majesty shall likewise deny him the benefit of his

[r] endeavours,] endeavour,

" protection, and shall not only signify to all his fo-
" reign ministers, that such persons shall receive no
" advantage by being his subject, but shall, by all[s]
" other ways and means, proceed against him as a
" public enemy to his majesty and this kingdom.

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" Yet[t] his majesty hopes, and doubts not, but his
" good subjects of London will call to mind the acts
" of their predecessors, the duty, affection, loyalty,
" and merit towards their princes, the renown they
" have had with all posterity for, and the blessing
" of Heaven which always accompanied, those vir-
" tues; and will consider the perpetual scorn and
" infamy which unavoidably will follow them and
" their children, if infinitely the meaner part in
" quality, and much the lesser part in number, shall
" be able to alter the government so admirably esta-
" blished, destroy the trade so excellently settled,
" and to waste the wealth so industriously gotten,
" of that flourishing city: and[u] they will easily
" gather up the courage and resolution to join with
" his majesty in defence of that religion, law, and
" liberty, which hitherto hath, and only can, make
" themselves, his majesty, and his kingdom, happy.

" For concurring with the advice of his two
" houses of parliament, which, with reference to the
" commonwealth, may be as well at this distance,
" as by being at Whitehall, his majesty doubts not,
" but his good subjects of London well know, how
" far, beyond the example of his predecessors, his
" majesty hath concurred with their advice, in pass-
" ing of such laws, by which he willingly parted with
" many of his known rights, for the benefit of his

[s] all] *Not in MS.* [t] Yet] But [u] and] and then

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" subjects; which the fundamental constitutions of " this kingdom did not oblige him to consent unto; " and hath used all possible means to beget a right " understanding between them: and will therefore " apply themselves to those who, by making just, " peaceable, and honourable propositions to his ma- " jesty, can only beget that concurrence."

This answer the king sent by a servant of his own, supposing, that if he sent by the messengers who brought the petition, it might either be suppressed, or not communicated in that manner as he desired. Besides, the messengers themselves, after the king had caused it to be read to them, were very well contented that it should be delivered by other hands than theirs. So they promised his majesty, that they would procure a common hall, (which is the most general assembly of the city, the meanest person being admitted,) to be called as soon as they returned; where his messenger might deliver it: and having been graciously used by the king and the court, after two days' stay, they returned from Oxford together with the gentleman sent by his majesty. When they came to London, the contents of the answer were quickly known, though not delivered; and the two houses made an order, " that the lord mayor should not call a com- " mon hall, till he received farther direction from " them." So that, though the gentleman sent by the king often solicited the lord mayor, " that he " would call a common hall, at which he was to de- " liver a message from the king," many days passed before any orders were issued to that purpose.

At last, a day was appointed; and, at the same time, a committee of the lords and commons were

sent to be present, to see that it might not have such a reception, as might render their interest suspected. As soon as the gentleman sent by the king had read his majesty's answer, the earl of Manchester[x] told them, "of the high value the parliament "had of the city; that they had considered of those "wounding aspersions, which, in that answer, were "cast upon persons of such eminent affection in "their city, and upon others, of great fidelity and "trust among them: that they owned themselves "to be[y] equally interested in all things that con- "cerned them, and would stand by them with their "lives and fortunes, for the preservation of the city "in general, and those persons in particular who "had been faithful, and deserved well both of the "parliament and kingdom. And they would pur- "sue all means with their lives and fortunes, that "might be for the preservation of that city, and for "the procuring of safety, happiness, and peace, to "the whole kingdom." 1643.

As soon as his lordship had finished his oration, which was received with marvellous acclamations, Mr. Pym enlarged himself, in a speech then printed,[z] upon the several parts of the king's answer, (for it was so long before it was delivered, that the printed copies from Oxford, which were printed there after the messenger was gone so long that all men concluded it was delivered, were public and in all hands,) and told them the sense of the two houses of parliament, upon every part of it. Among the rest, "that the demanding the lord mayor, and the

[x] Manchester] Northumberland

[y] to be] *Not in MS.*

[z] in a speech then printed,] *Not in MS.*

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"other three citizens, was against the privilege of "parliament, (two of them being members of the "house of commons,) and most dishonourable to the "city, that the lord mayor of London should be "subjected to the violence of every base fellow; "and that they should be commanded to deliver up "their chief magistrates, and such eminent mem- "bers of the city, to the king's pleasure, only be- "cause they had done their duty, in adhering to the "parliament, for the defence of the kingdom."

He told them, "that, to the objection that the "government of the city had been managed by a "few desperate persons, and that they did exercise "an arbitrary power, the two houses gave them this "testimony, that they had, in most of the great oc- "casions concerning the government of the city, "followed their direction; and that direction which "the parliament had given, they had executed; "and they must and would maintain to be such, as "stood with their honour in giving it, and the "others' trust and fidelity in performing it."

To the objection, "that the property of the sub- "ject was destroyed, by taking away the twentieth "part by an arbitrary power," he told them, "that "that ordinance did not require a twentieth part, "but did limit the assessors that they should not go "beyond a twentieth part, and that was done by a "power derived from both houses of parliament; "the lords, who had an hereditary interest in mak- "ing of laws in this kingdom; and the commons, "who were elected and chosen to represent[a] the "whole body of the commonalty, and trusted, for

[a] represent] present

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"the good of the people, whenever they see cause "to charge the kingdom." He said farther, "that "the same law which did enable the two houses of "parliament to raise forces to maintain and defend "the safety of religion, and of the kingdom, did "likewise enable them to require contributions "whereby those forces might be maintained; or "else it were a vain power to raise forces, if they "had not a power likewise to maintain them in "that service for which they were raised." He observed, "that it was reported, that the king de- "clared he[b] would send some messengers to ob- "serve their carriage in the city, and what was "done among them: the parliament had just cause "to doubt, that those would be messengers of sedi- "tion and trouble, and therefore desired them to "observe and find them out, that they might know "who they were." He concluded with "commend- "ing unto their consideration the great danger "that they were all in; and that the[c] danger could "not be kept off, in all likelihood, but by the army "that was then on foot;" and assured them, "that "the lords and commons were so far from being "frighted by any thing in that answer,[d] that they "had, for themselves, and the members of both "houses, declared a farther contribution towards "the maintenance of that army; and could not but "hope, and desire, that the city, which had shewed "so much good affection in the former necessities of "the state, would be sensible of their own, and of "the condition of the whole kingdom, and add to "that which they had already done, some farther

[b] he] that he

[c] the] that

[d] in that answer,] that was in that answer,

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"contribution, whereby that army might be main-
"tained for all their safeties."

Whether the solemnity for the reception of this message after it was known what the contents were, and the bringing so great a guard of armed men to the place where it was to be delivered, frighted the well affected party of the city from coming thither, or frighted them, when they were there, from expressing those affections, I know not. But it is certain, these speeches and discourses were received and entertained with all imaginable applause, and that meeting[e] was concluded with a general acclamation, "that they would live and die "with the houses," and other expressions of that nature. So that all thoughts of farther address, or compliance with his majesty from the city,[f] were so entirely and absolutely laid aside, that the licence of seditious and treasonable discourses daily increased; insomuch, that complaint being made to the then lord mayor, that a certain desperate person had said, "that he hoped shortly to wash his hands "in the king's blood," that minister of justice refused to send any warrant, or to give any direction to any officer, for the apprehension of him. This[g] was the success of that petition and answer.

The houses now began to speak themselves of sending propositions to the king for peace. For, how great soever the compliance seemed with them from the city, or the country, they well enough discerned that[h] compliance was generally upon the hope and expectation that they would procure a

[e] that meeting] *Omitted in MS.*

[f] from the city,] *Not in MS.*

[g] This] And this

[h] that] that that

speedy peace. And they had now procured that to pass both houses, which they only wanted, the bill for the extirpation of episcopacy: in the doing whereof, they used marvellous art and industry. They who every day did somewhat, how little soever then taken notice of, to make peace impossible, and resolved, that no peace could be safe for them, but such a one as would be unsafe for the king, well enough knew that they should never be able to hold up, and carry on the war against the king in England, but by the help of an army out of Scotland; which they had no hope to procure but upon the stock of the[i] alteration of the government of the church; to which that nation was violently inclined. But to compass that was very difficult; very much the major part, even of those members who still continued with them, being cordially affected to the government established, at least not affected to any other. To those therefore, who were so far engaged as to desire to have it in their power to compel the king to consent to such a peace as they desired, they represented[k] "the consequence of getting the "Scots to declare for them; which would more ter- "rify the king, and keep the northern parts in sub- "jection more[l], than any forces they should be able "to raise: that it was impossible to draw such a "declaration from them, without first declaring "themselves that they would alter the government "by the bishops; which that people pretended to "believe the only justifiable ground to take up "arms." To others, which was indeed their public, and avowed, and current argument in debates, they

[i] the] *Not in MS.*

[k] represented] presented

[l] more] *Not in MS.*

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alleged, "that they could not expect that any peace "would be effected by the king's free concurrence "to any message they could send to him, but that "it must arise and result from a treaty between "them, upon such propositions as either party would "make upon their own interest: that it could not "be expected that such propositions would be made "on either side, as would be pertinaciously insisted "on by them who made them; it being the course, "in all affairs of this nature, to ask more than was "expected to be consented to; that it concerned "them as much, to make demands of great moment "to the king, from which they meant to recede, as "others upon which they must insist: that all men "knew the inclination and affection the king had "to the church, and therefore if he saw that in "danger, he would rescue it at any price, and very "probably their departing from their proposition "concerning[m] the church, might be the most pow-"erful argument to the king, to gratify them with "the militia."

Commissioners sent to the king with propositions of peace about the end of January.

By these artifices, and especially by concluding obstinately, "that no propositions should be sent to the "king for peace, till the bill for extirpation of bi-"shops was passed the lords' house," (where it would never otherwise have been submitted to,) they had their desire, and, about the end of January, they sent the earls of Northumberland, Pembroke, Salisbury, and Holland, with eight members of the commons, to Oxford, with their petition and propositions. And here I cannot omit one stratagem, which, at that time, occasioned some mirth. The

[m] concerning] of

common people of London were persuaded, "that "there was so great scarcity of victual and provi- "sions at Oxford, and in all the king's quarters, "that they were not without danger of starving; "and that, if all other ways failed, that alone would "in a short time bring the king to them." To make good this report, provisions of all kinds, even to bread, were sent in waggons, and on horses, from London to Oxford, for the supply of this committee: when, without doubt, they found as great plenty of all things where they came, as they had left behind them. The petition presented to his majesty with the propositions were, in these words, at the presentation, read by the earl of Northumberland.

The humble desires[n] *and propositions of the lords and commons in parliament, tendered to his majesty.*

"We your majesty's most humble and faithful "subjects, the lords and commons in parliament as- "sembled, having in our thoughts the glory of God, "your majesty's honour, and the prosperity of your "people, and being most grievously afflicted with "the pressing miseries, and calamities, which have "overwhelmed your two kingdoms of England and "Ireland, since your majesty hath, by the persua- "sion of evil counsellors, withdrawn yourself from "the parliament, raised an army against it, and, by "force thereof, protected delinquents from the jus- "tice of it, constraining us to take arms for the de- "fence of our religion, laws, liberties, privileges of

[n] The humble desires] *This petition is in the handwriting of lord Clarendon's secretary.*

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" parliament, and for the sitting of the parliament " in safety; which fears and dangers are continued, " and increased, by the raising, drawing together, " and arming of great numbers of papists, under the " command of the earl of Newcastle; likewise by " making the lord Herbert of Ragland, and other " known papists, commanders of great forces, where- " by many grievous oppressions, rapines, and cruel- " ties have been and are daily exercised upon the " persons and estates of your people, much innocent " blood hath been spilt, and the papists have at- " tained means of attempting, with hopes of effect- " ing, their mischievous designs of rooting out the " reformed religion, and destroying the professors " thereof: in the tender sense and compassion of " these evils, under which your people and kingdom " lie, (according to the duty, which we owe to God, " your majesty, and the kingdom, for which we are " trusted,) do most earnestly desire, that an end " may be put to these great distempers and distrac- " tions, for the preventing of that desolation which " doth threaten all your majesty's dominions. And " as we have rendered, and still are ready to render " to your majesty, that subjection, obedience, and " service, which we owe unto you; so we most " humbly beseech your majesty, to remove the causes " of this war, and to vouchsafe us that peace and " protection, which we and our ancestors have for- " merly enjoyed under your majesty, and your royal " predecessors, and graciously to accept and grant " these our most humble desires and propositions:

1. " That your majesty will be pleased to disband " your armies, as we likewise shall be ready to dis-

" band all those forces which we have raised; and " that you will be pleased to return to your parlia-" ment. 1643.

2. " That you will leave delinquents to a legal " trial, and judgment of parliament.

3. " That the papists may not only be disbanded, " but disarmed according to law.

4. " That your majesty will be pleased to give " your royal assent unto the bill for taking away " the superstitious innovations; to the bill for the " utter abolishing and taking away of all archbi-" shops, bishops, their chancellors, and commissa-" ries, deans, sub-deans, deans[o] and chapters, arch-" deacons, canons, and prebendaries, and all chant-" ers, chancellors, treasurers, sub-treasurers, suc-" centors, and sacrists, and all vicars choral, choris-" ters,[p] old vicars, and new vicars of any cathedral " or collegiate church, and all other their under-offi-" cers, out of the church of England: to the bill " against scandalous ministers: to the bill against " pluralities; and to the bill for consultation to be " had with godly, religious, and learned divines. " That your majesty will be pleased to promise to " pass such other good bills for settling of church-" government, as, upon consultation with the as-" sembly of the said divines, shall be resolved on by " both houses of parliament, and by them presented " to your majesty.

5. " That your majesty having expressed, in your " answer to the nineteen propositions of both houses " of parliament, an hearty affection and intention " for the rooting out of popery out of this kingdom;

[o] deans] *Not in MS.* [p] choristers,] and choristers,

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" and that, if both the houses of parliament can yet " find a more effectual course to disable Jesuits, " priests, and popish recusants, from disturbing the " state, or eluding the laws, that you would will- " ingly give your consent unto it; that you would " be graciously pleased, for the better discovery and " speedier conviction of recusants, that an oath may " be established by act of parliament, to be admi- " nistered in such manner as by both houses shall " be agreed on; wherein they shall abjure and re- " nounce the pope's supremacy, the doctrine of tran- " substantiation, purgatory, worshipping of the con- " secrated host, crucifixes, and images: and the re- " fusing the said oath, being tendered in such man- " ner as shall be appointed by act of parliament, " shall be a sufficient conviction in law of recusancy. " And that your majesty will be graciously pleased " to give your royal assent unto a bill, for the edu- " cation of the children of papists by protestants in " the protestant religion. That, for the more effec- " tual execution of the laws against popish recu- " sants, your majesty will be pleased to consent to a " bill, for the true levying of the penalties against " them; and that the same penalties may be levied, " and disposed of in such manner as both houses of " parliament shall agree on, so as your majesty be at " no loss; and likewise to a bill, whereby the prac- " tice of papists against the state may be prevented, " and the law against them duly executed.

6. " That the earl of Bristol may be removed " from your majesty's councils; and that both he, " and the lord Herbert, eldest son to the earl of " Worcester, may likewise be restrained from com- " ing within the verge of the court; and that they

"may not bear any office, or have any employments "concerning state or commonwealth.

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7. "That your majesty will be graciously pleased, "by act of parliament, to settle the militia both by "sea and land, and for the forts and ports of the "kingdom, in such a manner as shall be agreed on "by both houses.

8. "That your majesty will be pleased, by your "letters patents, to make sir John Brampston, chief "justice of the court of king's bench; William "Lenthall, esquire, the now speaker of the commons' "house, master of the rolls; and to continue the "lord chief justice Banks, chief justice of the court "of common pleas; and likewise to make Mr. Ser- "geant Wild, chief baron of your court of exche- "quer; and that Mr. Justice Bacon may be con- "tinued; and Mr. Sergeant Rolls, and Mr. Sergeant "Atkins, made justices of the king's bench: that "Mr. Justice Reeves, and Mr. Justice Foster, may "be continued; and Mr. Sergeant Pheasant made "one of the justices of your court of common pleas; "that Mr. Sergeant Creswell, Mr. Samuel Brown, "and Mr. John Puleston, may be barons of the ex- "chequer; and that all these, and all the judges of "the same courts, for the time to come, may hold "their places by letters patents under the great seal, "*quamdiu se bene gesserint:* and that the several "persons not before named, that do hold any of "these places before mentioned, may be removed.

9. "That all such persons, as have been put out "of the commissions of peace, or oyer and ter- "miner, or from being *custodes rotulorum,* since "the first day of April, 1642, (other than such as "were put out by desire of both or either of the

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" houses of parliament,) may again be put into those " commissions and offices; and that such persons " may be put out of those commissions and offices, " as shall be excepted against by both houses of par- " liament.

10. " That your majesty will be pleased to pass " the bill now presented to your majesty, to vindi- " cate and secure the privileges of parliament, from " the ill consequence of the late precedent in the " charge and proceeding against the lord Kimbolton, " now earl of Manchester, and the five members of " the house of commons.

11. " That your royal assent may be given unto " such acts as shall be advised by both houses of " parliament, for the satisfying and paying the debts " and damages, wherein the two houses of parliament " have engaged the public faith of the kingdom.

12. " That your majesty will be pleased, accord- " ing to a gracious answer heretofore received from " you, to enter into a more strict alliance with the " States of the United Provinces, and other neigh- " bour princes and states of the protestant religion, " for the defence and maintenance thereof against all " designs and attempts of the popish and jesuitical " faction, to subvert and suppress it; whereby your " subjects may hope to be free from the mischiefs " which this kingdom hath endured, through the " power which some of that party have had in your " counsels; and will be much encouraged, in a par- " liamentary way, for your aid and assistance in re- " storing your royal sister, and the prince elector, " to those dignities and dominions which belong " unto them; and relieving the other protestant " princes who have suffered in the same cause.

13. "That in the general pardon, which your majesty hath been pleased to offer to your subjects, "all offences and misdemeanours committed before "the 10th of January, 1641, which have been or "shall be questioned, or proceeded against in parliament, upon complaint in the house of commons, "before the 10th of January, 1643, shall be excepted; which offences and misdemeanours shall "nevertheless be taken, and adjudged to be fully "discharged against all other inferior courts. That "likewise there shall be an exception of[q] all offences "committed by any person or persons, which hath, "or have had, any hand or practice in the rebellion "of Ireland; which hath, or have given, any counsel, assistance, or encouragement to the rebels "there, for the maintenance of that rebellion; as "likewise an[r] exception of William earl of Newcastle, and George lord Digby.

14. "That your majesty will be pleased to restore "such members of either house of parliament to "their several places of services, and employment, "out of which they have been put since the beginning of this parliament; that they may receive "satisfaction, and reparation for those places, and "for the profits which they have lost by such removals, upon the petition of both houses of parliament: and that all others may be restored to their "offices and employments, who have been put out of "the same upon any displeasure conceived against "them, for any assistance given to both houses of "parliament, or obeying their commands, or forbearing to leave their attendance upon the parliament

[q] of] to [r] an] *Not in MS.*

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" without licence; or for any other occasion, arising " from these unhappy differences betwixt your ma- " jesty and both houses of parliament, upon the like " petition of both houses.

" These things being granted, and performed, as " it hath always been our hearty prayer, so shall " we be enabled to make it our hopeful endeavour, " that your majesty, and your people, may enjoy the " blessings of peace, truth, and justice; the royalty " and greatness of your throne may be supported by " the loyal and bountiful affections of your people; " their liberties and privileges maintained by your " majesty's protection and justice; and this public " honour, and happiness of your majesty, and all " your dominions, communicated to other churches " and states of your alliance, and derived to your " royal posterity, and the future generations of this " kingdom for ever."

They who brought this petition and propositions, spake to their friends at Oxford with all freedom of the persons from whom they came; inveighed against " their tyranny and unreasonableness," and especially against the propositions themselves had brought; but positively declared, " that if the king " would vouchsafe so gracious an answer (which " they confessed they had no reason to expect) as " might engage the two houses in a treaty, it would " not be then in the power of the violent party to " deny whatsoever his majesty could reasonably de- " sire." However (though the king expected little from those private undertakings, well knowing that they who wished best were of least power, and that the greatest among them, as soon as they were but suspected to incline to peace, immediately lost their

reputation) his majesty, within two days, graciously dismissed those messengers with this answer:

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"If his majesty[s] had not given up all the faculties of his soul to an earnest endeavour of peace and reconciliation with his people; or if he would suffer himself, by any provocation, to be drawn to a sharpness of language, at a time when there seems somewhat like an overture of accommodation, he could not but resent the heavy charges upon him in the preamble of these propositions; would not suffer himself to be reproached, with protecting of delinquents, by force, from justice, (his majesty's desire having always been, that all men should be tried by the known law, and having been refused it,) with raising an army against his parliament, and to be told that arms have been taken up against him for the defence of religion, laws, liberties, and privileges of parliament, and for the sitting of the parliament in safety, with many other particulars in that preamble so often and so fully answered by his majesty, without remembering the world of the time and circumstances of raising those arms against him; when his majesty was so far from being in a condition to invade other men's rights, that he was not able to maintain and defend his own from violence; and without telling his good subjects, that their religion, (the true protestant religion, in which his majesty was born, hath faithfully lived, and to which he will die a willing sacrifice,) their laws, liberties, privileges, and safety of parliament, were so amply settled, and established,

[s] If his majesty] *This answer is in the handwriting of lord Clarendon's secretary.*

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" or offered to be so by his majesty, before any " army was raised against him, and long before any " raised by him for his defence, that if nothing had " been desired but that peace and protection which " his subjects, and their ancestors, had in the best " times enjoyed, under his majesty, or his royal pre- " decessors, this misunderstanding and distance be- " tween his majesty and his people, and this general " misery and distraction upon the face of the whole " kingdom, had not been now the discourse of all " Christendom.

" But his majesty will forbear any expressions of " bitterness, or of a sense of his own sufferings, that, " if it be possible, the memory thereof may be lost " to the world. And therefore, though many of the " propositions, presented to his majesty by both " houses, appear to him very derogatory from, and " destructive to, his just power and prerogative, " and no way beneficial to his subjects, few of them " being already due to them by the laws established, " (and how unparliamentary it is by arms to require " new laws, all the world may judge,) yet (because " these may be waved, or mollified, and many " things, that are now dark and doubtful in them, " cleared, and explained upon debate) his majesty is " pleased, such is his sense of the miseries this " kingdom suffers by this unnatural war, and his " earnest desire to remove them by an happy peace, " that a speedy time and place be agreed upon, for " the meeting of such persons as his majesty and " both houses shall appoint to discuss these proposi- " tions, and such others here following as his ma- " jesty doth propose to them.

1. " That his majesty's own revenue, magazine,

" towns, forts, and ships, which have been taken or " kept from him by force, be forthwith restored " unto him. BOOK VI. 1643.

2. " That whatsoever hath been done, or pub- " lished, contrary to the known laws of the land, or " derogatory to his majesty's legal and known power " and rights, be renounced, and recalled, that no " seed may remain for the like to spring out of for " the future.

3. " That whatsoever illegal power hath been " claimed and exercised by or over his subjects, as " imprisoning their persons without law, stopping " their *Habeas Corpus's*, and imposing upon their " estates without act of parliament, &c. either by " both, or either house, or any committee of both, " or either, or by any persons appointed by any of " them, be disclaimed; and all such persons so com- " mitted forthwith discharged.

4. " That as[t] his majesty will readily consent " (having done so heretofore) to the execution of all " laws already made, and to any good acts to be " made for the suppressing of popery, and for the " firm settling of the protestant religion now esta- " blished by law; so he desires, that a good bill " may be framed, for the better preserving the Book " of Common Prayer from the scorn and violence of " Brownists, anabaptists, and other sectaries, with " such clauses for the ease of tender consciences, as " his majesty hath formerly offered.

5. " That all such persons, as, upon the treaty, " shall be excepted out of the general pardon, shall " be tried *per pares*, according to the usual course,

[t] as] *Omitted in MS.*

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" and known law[u] of the land; and that it be left " to that, either to acquit or condemn them.

6. " And, to the intent this treaty may not suffer " interruption by any intervening accidents, that a " cessation of arms, and free trade for all his ma- " jesty's subjects, may be first agreed upon.

" This offer and desire of his majesty, he hopes, " will be so cheerfully entertained, that a speedy " and blessed peace may be accomplished. If it " shall be rejected, or, by insisting upon unreason- " able circumstances, be made impossible, (which, " he hopes, God in his mercy to this nation will not " suffer,) the guilt of the blood which will be shed, " and the desolation which must follow, will lie " upon the heads of the refusers. However, his " majesty is resolved, through what accidents so- " ever he shall be compelled to recover his rights, " and with what prosperous success soever it shall " please God to bless him, that by his earnest, con- " stant endeavours to propagate and promote the " true protestant religion, and by his governing ac- " cording to the known laws of the land, and up- " holding the just privileges of parliament, accord- " ing to his frequent protestations made before Al- " mighty God, (which he will always inviolably ob- " serve,) the world shall see, that he hath under- " gone all these difficulties and hazards, for the de- " fence and maintenance of those, the zealous pre- " servation of which, his majesty well knows, is the " only foundation and means for the true happiness " of him and his people."

Whilst these overtures and discourses were made

[u] law] laws

of peace, the kingdom, in all parts, felt the sad effects of war; neither the king nor the parliament being slack in pursuing the business by the sword; and the persons of honour and quality in most counties more vigorously declaring themselves than they had done. Among the rest, upon the king's retreat from Brentford, whilst he yet staid about Reading, some of the well affected gentry of Sussex, upon the confidence of their interests in those parts, offered the king to raise forces there; and presumed they should be able to seize some place of security and importance for their retreat, if the enemy should attempt upon them; which, at that time of the year, was not conceived could be with any notable success. And being armed with such authority and commissions, as they desired, and seconded with a good number of considerable officers, their first success was answerable to their own hopes, and they possessed themselves, partly by force, and partly by stratagem, of the city of Chichester; which, being encompassed with a very good old wall, was very easy to be so fortified, that, with the winter, they might well think themselves secure against any forcible attempt could be made upon them. And no doubt they had been so, if the common people of the county (out of which the soldiers were to rise) had been so well affected as was believed.

Chichester possessed by the king's forces:

But, before they could draw in men or provisions into the city, the earl of Essex sent sir William Waller with horse, foot, and cannon, to infest them; who, with the assistance of the country, quickly shut them up within their walls. They within the town were easily reduced to straits they could not contend with; for, besides the enemy without,

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against which the walls and the weather seemed of equal power, and the small stock of provisions, which, in so short time, they were able to draw thither, they had cause to apprehend their friends would be weary before their enemies; and that the citizens would not prove a trusty part of the garrison; and their number of common men was so small, that the constant duty was performed by the officers, and gentlemen of quality, who were absolutely tired out. So that, after a week or ten days' siege, they were compelled, upon no better articles than quarter, to deliver that city, which could hardly have been taken from them; by which (with the loss of fifty or threescore gentlemen of quality, and officers of name, whose very good reputation made the loss appear a matter of absolute and unavoidable necessity) the king found that he was not to venture to plant garrisons so far from his own quarters, where he could not, in reasonable time, administer succour or supply.

But surrendered to sir W. Waller.

This triumph of the enemy was shortly after abated, and the loss on the king's part repaired, by the winning of Cirencester, a good town in Gloucestershire, which the rebels were fortifying, and had in it a very strong garrison; and, being upon the edge of Wiltshire, Berkshire, and Oxfordshire, shrewdly straitened the king's quarters. The marquis of Hertford bringing with him, out of Wales, near two thousand foot, and one regiment of horse, intended, with the assistance of prince Rupert, who appointed to join with him with some regiments from Oxford, to take in that town; but by the extreme foulness of the ways, the great fall of rain at that time, (being about Christmas,) and some mis-

take in orders between the two generals, that design was disappointed; and the alarm gave the enemy so much the more courage and diligence to provide for an assault. BOOK VI. 1643.

In the beginning of February, prince Rupert went upon the same design with better success; and at one and the same time, storming the town in several places, their works being not yet finished, though pertinaciously enough defended, entered their line with some loss of men, and many hurt, but with a far greater of the enemy; for there were not so few as two hundred killed upon the place, and above one thousand taken prisoners, whereof Warneford and Fettyplace, (two gentlemen of good quality and fortune near that town, and very active in the service,) Mr. George, a member of parliament who served for that borough, and two or three Scottish officers of the field, whereof Carr the governor was one, were the chief. The town yielded much plunder, from which the undistinguishing soldier could not be kept, but was equally injurious to friend and foe; so that many honest men, who were imprisoned by the rebels for not concurring with them, found themselves at liberty and undone together: amongst whom John Plot, a lawyer of very good reputation, was one; who being freed from the hard and barbarous imprisonment in which he had been kept, when he returned to his own house, found it full of soldiers, and twelve hundred pounds in money taken from thence, which could never be recovered. The prince left a strong garrison there, that brought almost all that whole county into contribution, and[x] was a great enlargement to the

Cirencester won by the king's forces under prince Rupert.

[x] and] which

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king's quarters, which now, without interruption, extended from Oxford to Worcester; that[y] important city, with the other of Hereford, and those counties, having,[z] some time before, been quitted by the rebels; the earl of Stamford, who was left in those parts by the earl of Essex, being called from thence, by the growth of the king's party in Cornwall, to the securing the west.

We remembered before, when the marquis of Hertford transported himself and his few foot into Wales from Minhead, that sir Ralph Hopton, and the other gentlemen, mentioned before, with their small force, consisting of about one hundred horse, and fifty dragoons, retired into Cornwall, neglected by the earl of Bedford, as fit and easy to be suppressed by the committees. And, in truth, the committees were entirely possessed of Devonshire, and thought themselves equally sure of Cornwall, save that the castle of Pendennis was in the custody of one they had no hope of. They were welcomed into Cornwall by sir Bevil Greenvil, who marched with them towards the west of the[a] county, as being best affected, where they might have leisure to refresh their wearied and almost tired horse and men, and to call the well disposed gentry together; for which they chose Truro as the fittest place, the east part of the county being possessed by sir Alexander Carew, and sir Richard Buller, two members of the house of commons, and active men for the settling of the militia. There was in this county, as throughout the whole kingdom, a wonderful and superstitious reverence towards the name of a parliament,

Sir Ralph Hopton and sir Bevil Greenvil's progress in Cornwall together with other gentlemen there.

[y] that] which [z] having,] had, [a] the] that

and a prejudice to the power of the court; yet a full submission, and love of the established government of church and state, especially to that part of the church as concerned the liturgy, or Book of Common Prayer, which was a most general object of veneration with the people. And the jealousy, and apprehension that the other party intended to alter it, was a principal advancement of the king's service. Though the major and most considerable part of the gentry, and men of estates,[b] were heartily for the king, many of them being of the house of commons, and so having seen and observed by what spirit the distemper was begot, and carried on; yet there were others of name, fortune, and reputation with the people, very solicitous for the parliament, and more active than the other. There was a third sort (for a party they cannot be called) greater than either of the other, both of[c] fortune and number, who, though they were satisfied in their consciences of the justice of the king's cause, had yet so great a dread of the power of the parliament, that they sat still as neuters, assisting neither. So that they who did boldly appear, and declare for the king, were compelled to proceed with all wariness and circumspection; by the known and well understood rules of the law and justice; and durst not oppose the most extravagant act of the other side but with all the formality that was used in full peace: which must be an answer to all those oversights and omissions, which posterity will be apt to impute to the king, in the morning of these distractions.

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The committee of the parliament, who were en-

[b] estates,] estate, [c] of] in

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tirely possessed of Devonshire, and believed themselves masters of Cornwall, drew their forces of the country to Launceston, to be sure that sir Ralph Hopton and his adherents (whose power they thought contemptible) might not escape out of their hands. This was before the battle of Edge-hill, when the king was at lowest, and when the authority of parliament found little opposition in any place. The quarter sessions came, where they caused a presentment to be drawn, in form of law, "against divers men unknown, who were lately "come armed into that county *contra pacem*, &c." Though none were named, all understood who were meant; and therefore sir Ralph Hopton, who very [d] well understood those proceedings, voluntarily appeared; took notice of the presentment, and produced the commission granted by the king, under the great seal of England, to the marquis of Hertford, by which he was constituted general of the west; and a commission, from his lordship, to sir Ralph Hopton, of lieutenant general of the horse; and told them, "he was sent to assist them, in the "defence of their liberties, against all illegal taxes "and impositions." Hereupon, after a full and solemn debate, the jury, which consisted of gentlemen of good quality, and fortunes in the county, not only acquitted sir Ralph Hopton, and all the other gentlemen his companions, of any disturbance of the peace; but declared, "that it was a great favour "and justice of his majesty, to send down aid to "them who were already marked out to destruc-"tion; and that they thought it the duty of every

[d] very] *Not in MS.*

"good subject, as well in loyalty to the king, as in "gratitude to those gentlemen, to join with them "with any hazard of life and fortune."

As this full vindication was thus gotten on the king's part, so an indictment was preferred against sir Alexander Carew, sir Richard Buller, and the rest of the committee, "for a rout and unlawful as-"sembly at Launceston; and for riots and misde-"meanours committed against many of the king's "good subjects, in taking their liberties from them;" (for they had intercepted and apprehended divers messengers, and others of the king's party, and employed by them.) This indictment and information was found by the grand jury, and thereupon, according to a statute in that case provided, an order of sessions was granted to the high sheriff, a person well affected to the king's service, "to raise the "*posse comitatus*, for the dispersing that unlawful "assembly at Launceston, and for the apprehension "of the rioters." This was the rise and foundation of all the great service that was after performed in Cornwall, by which the whole west was reduced to the king. For, by this means, there were immediately drawn together a body of three thousand foot, well armed; which by no other means[e] could have been done: with which sir Ralph Hopton, whom they all willingly obeyed, advanced towards Launceston, where the committee had fortified, and from thence had sent messages of great contempt upon the proceedings of the sessions; for, besides their confidence in their own Cornish strength, they had

[e] means] means that could have been used

BOOK VI. a good body of horse to second them upon all occasions, in the confines of Devon.

1643. Sir George Chudleigh, a gentleman of good fortune and reputation in that county, and very active for the militia, being then at Tavistock, with five or six full troops of horse, raised in that county to go to their army, but detained till Cornwall could be settled; upon [f] the news of sir Ralph Hopton's advancing, these drew to Litton, a village in Devonshire, but within three miles of Launceston. Sir Ralph Hopton marched within two miles of the town, where he refreshed his men, intending, the next morning early, to fall on the town: but sir Richard Buller, and his confederates, not daring to abide the storm, in great disorder quitted the town that night, and drew into Devonshire, and so towards Plymouth; so that in the morning sir Ralph Hopton found the gates of Launceston open, and entered without resistance. As the submission to, and reverence of, the known practised laws had, by the sheriff's authority, raised this army within very few days, so the extreme superstition to it as soon dissolved it. For when all the persons of honour and quality, who well knew the desperate formed designs of the other party, earnestly pressed the pursuing the disheartened and dismayed rebels into Devon, by which they should quickly increase their numbers, by joining with the well affected in that large and populous county, who were yet awed into silence; it was powerfully objected, "that the she-"riff, by whose legal authority only that force was

[f] upon] and upon

"drawn together, might not lawfully march out of "his own county; and that it was the principal "privilege of the trained bands, that they might "not be compelled to march farther than the limits "of their sheriff[g]."

How grievous and inconvenient soever this doctrine was discerned to be, yet no man durst presume so far upon the temper of that people, as to object policy or necessity to the[h] notions of law. And therefore, concealing, as much as was possible, the true reasons, they pretended their not following the enemy proceeded from apprehension of their strength, by their[i] joining with sir George Chudleigh, and of want of ammunition, (either of which were not unreasonable,) and so marched to Saltash, a town in Cornwall upon an arm of the sea; which only divided it from Plymouth and Devon, where was a garrison of two hundred Scots; who, upon the approach of sir Ralph Hopton, as kindly quit Saltash, as the others had Launceston before. So that being now entirely masters of Cornwall, they fairly dismissed those who could not be kept long together, and retired with their own handful of horse and dragoons, till a new provocation from the enemy should put fresh vigour into that county.

In the mean time, considering the casualty of those trained bands, and that strength, which on a sudden could be raised by the *posse comitatus*, which, though it made a gallant show in Cornwall, they easily saw would be of no use towards the quenching the general rebellion over England, they entered upon thoughts of raising voluntary regi-

[g] sheriff] shire [h] the] their [i] their] *Not in MS.*

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ments of foot; which could be only done by the gentlemen of that country among their neighbours, and tenants, who depended on them. Sir Bevil Greenvil, (the generally most beloved[k] man of that county,) sir Nicholas Slanning, the gallant governor of Pendennis castle, John Arundel, and John Trevannion, two young men of excellent hopes, and heirs to great fortunes in that country, (all four of them members of the house of commons, and so better informed, and acquainted with the desperate humours of the adverse party,) undertook the raising regiments of volunteers; many young gentlemen, of the most considerable families of the county, assisting them as inferior officers. So that, within a shorter time than could be expected, from one single county,[l] there was a body of foot, of near fifteen hundred, raised, armed, and well disciplined for action. But there was then an accident, that might have discomposed a people which had not been very well prepared to perform their duties.

The lord Mohun (who had departed from York from the king with all professions of zeal and activity in his service) had, from the time of the first motion in Cornwall, forborne to join himself to the king's party; staying at home at his own house, and imparting himself equally to all men of several constitutions, as if he had not been yet sufficiently informed which party to adhere to. But after all the adverse party was driven out of Cornwall, and the fame of the king's marching in the head of an army, and having fought the battle at Edge-hill, (the effect[m] whereof was variously reported,) with-

[k] beloved] loved [l] county,] small county, [m] effect] event

out acquainting any body with his intention, he took a journey towards London, at the time when the king marched that way, and presented himself to his majesty at Brentford, as sent from sir Ralph Hopton and the rest of those gentlemen engaged in Cornwall; though many men believed that his purpose was in truth for London, if he had not then found the king's condition better than it was generally believed. Upon his lordship's information of the state of those western parts, and upon a supposition that he spake the sense and desires of those from whom he pretended to come, the king granted a commission jointly to his lordship, sir Ralph Hopton, sir John Berkley, and colonel Ashburnham, to govern those forces, in the absence of the lord marquis of Hertford; with which he returned into Cornwall, and immediately raised a regiment of foot; behaving himself[n] as actively, and being every way as forward in the advancing the great business, as any man; so that men imputed his former reservedness, only to his not being satisfied in a condition of command. 1643.

On the other side, they who were concerned in that alteration were not at all well contented. For before, these[o] gentlemen of Cornwall, upon whose interest and activity the work depended, had, with great readiness, complied with the other, both out of great value of their persons, with whom they had good familiarity and friendship, and in respect of their authority and commissions, with which they came qualified in that county: for, as was remembered before, sir Ralph Hopton had a commission

[n] himself] him

[o] these] those

BOOK VI. 1643.

from the marquis of Hertford, to be lieutenant general of the horse; sir John Berkley, to be commissary general; and colonel Ashburnham, to be major general of the foot; so that there was no dispute of commands. But now, the lord Mohun's coming into an equal command with any, and superior to those who thought their reputation and interest to be superior to his, (for he had not the good fortune to be very gracious in his own country,) and this by his own solicitation and interposition, gave them some indignation. However their public-heartedness, and joint concernment in the good cause, so totally suppressed all animosities, and [p] indeed indispositions, that a greater concurrence could not be desired in whatsoever could contribute to the work in hand; so that they not only preserved Cornwall entire, but made bold incursions into Devon, even to the walls of Plymouth and Exeter; though the season of the year, being the deep winter, and the want of ammunition, soon [q] forced them to retire into Cornwall.

The reputation of their being masters of that one county, and the apprehension of what they might be shortly able to do, made [r] the parliament think it time to take more care for their suppression. And therefore they sent their whole forces out of Dorset and Somerset, to join with those of Devon, to make an entire conquest of Cornwall. With these, Ruthen (a Scotchman, the [s] governor of Plymouth) advanced into Cornwall, by a bridge over the Tamar, six miles above Saltash, (where he had before endeavoured to force his passage by water, but had

[p] and] or
[q] soon] *Not in MS.*
[r] made] making
[s] the] then

been beaten off with loss,) having mastered the guard there; the earl of Stamford following him, two or three days' march behind, with a new supply of horse and foot; albeit those the Scotchman had with him were much superior to those of the king's; which, upon this sudden invasion, were forced to retire with their whole strength to Bodmin; whither, foreseeing this storm some few days before it came, they had again summoned the *posse comitatus*, which appeared in considerable numbers. 1643.

They had scarce refreshed themselves there, and put their men in order, when Ruthen, with his horse, foot, and cannon, was advanced to Liskard, within seven miles of Bodmin; from whence they moved towards the enemy with all alacrity, knowing how necessary it was for them to fight before the earl of Stamford, who was at that time come to Launceston with a strong party of horse and foot, should be able to join with the rebels. And as this consideration was of importance to hasten the one, so it prevailed with the other party too; for Ruthen, apprehending that his victory, of which he made no question, would be clouded by the presence of the earl of Stamford, who had the chief command, resolved to despatch the business before he came. And so sir Ralph Hopton (to whom the other commissioners, who had a joint authority with him, willingly devolved the sole command for that day, lest confusion of orders might beget distraction) was no sooner known to be drawing towards him, (to whom a present battle was so necessary, that it was resolved, upon all disadvantages, to have fallen on the enemy in the town rather than not fight,) but Ruthen likewise drew out his forces,

BOOK VI. 1643.

and, choosing his ground upon the east side of Bradock-Down near Liskard, stood in battalia to expect the enemy: sir Ralph Hopton, having likewise put his men in order, caused public prayers to be said, in the head of every squadron, (which the rebels observing, told their fellows, "they were at "mass," to stir up their courages in the cause of religion,) and having winged his foot with his horse and dragoons, he advanced within musket-shot of the enemy, who stood without any motion. Then perceiving that their cannon were not yet come up from the town, he caused two small iron minion drakes (all the artillery they had) to be drawn, under the cover of little parties of horse, to a convenient distance from the body of the enemies; and after two shots of those drakes, (which being not discerned, and doing some execution, struck a greater[t] terror into them,) advanced with his body upon them; and, with very easy contention, beat them off their ground; they having lined the hedges behind them with their reserve, by which they thought securely to make their retreat into the town. But the Cornish so briskly bestirred themselves, and pressed them so hard on every side, being indeed excellent at hedge-work, and that kind of fight, that they quickly won that ground too, and put their whole army in a rout, and had the full execution of them as far as they would pursue. But, after that advantage, they were always more sparing than is usually known in civil wars, shedding very little blood after resistance was given over, and having a very noble and Christian sense

Sir Ralph Hopton beats the parliament's forces at Bradock-Down under Ruthen.

[t] greater] great

of the lives of their brethren: insomuch as the common men, when they have been pressed by some fiercer officer, to follow the execution, have answered, "they could not find in their hearts to hurt "men who had nothing in their hands." BOOK VI. 1643.

In this battle, without the loss of an[u] officer of name, and very few common men, they took twelve hundred and fifty prisoners, most of their colours, all their cannon, being four brass guns, (whereof two were twelve pounders,) and one iron saker, all their ammunition, and most of their arms. Ruthen himself, and those[x] who could keep pace with him, fled to Saltash; which he thought to fortify, and by the neighbourhood of Plymouth, and assistance of the shipping, to defend; and thereby still to have an influence upon a good part of Cornwall. The earl of Stamford, receiving quick advertisement of this defeat, in great disorder retired to Tavistock, to preserve the utmost parts of Devon from incursions. Hereupon, after a solemn thanksgiving to God for this great victory, (which was about the middle of January,) and a little refreshing their men at Liskard, the king's forces divided themselves; sir John Berkley, and colonel Ashburnham, with sir Bevil Greenvil, sir Nicholas Slanning's and colonel Trevannion's voluntary regiments, and such a party of horse and dragoons as could be spared, advanced to Tavistock to visit the earl of Stamford; the lord Mohun and sir Ralph Hopton, with the lord Mohun's and colonel Godolphin's voluntary regiments, and some of the trained bands, marched towards Saltash, to dislodge Ruthen; who within[y]

[u] an] any [x] those] those few [y] within] in

BOOK VI. 1643.

three days (for there was no more between his defeat at Bradock-Down, and his visitation at Saltash) had cast up such works, and planted such store of cannon upon the narrow avenues, that he thought himself able, with the help of a goodly ship of four hundred tons, in which were sixteen pieces of cannon, which he had brought up the river to the very side of the town, to defend that place against any strength was like to be brought against him. But he quickly found that the same spirit possessed his enemies that drove him from Liskard, and the same that possessed his own men when they fled from thence; for as soon as the Cornish came up, they fell upon his works, and in a short time beat him out of them; and then out of the town, with a good execution upon them; many being killed in the fight[z], and more drowned: Ruthen himself hardly getting into a boat, by which he got into Plymouth, leaving all his ordnance behind him, which, together with the ship, and sevenscore prisoners, and all their colours, which had been saved at Liskard, were taken by the conquerors, who were now again entire masters of Cornwall.

Saltash taken by the king's forces.

The earl of Stamford had not the same patience to abide the other party at Tavistock, but, before their approach, quitted the town; some of his forces making haste into Plymouth, and the rest retiring into Exeter. And so, though the old superstition, of not going out of the county, again disbanded the trained bands, the Cornish, with all their voluntary forces, drew into Devon, and fixed quarters within less than a mile of Plymouth, and

[z] in the fight] *Not in MS.*

kept guards even within musket-shot of their line. Sir John Berkley in the mean time with a good party volant, of horse and dragoons, with great diligence and gallantry, visiting all places in Devon, where their people were gathered together, and dissolving them, took many prisoners of name; and so kept Chudleigh,[a] the major general of the parliament forces, from raising a body there; which he industriously intended. BOOK VI. 1643.

In those necessary and brisk expeditions in[b] falling upon Chagford (a little town in the south of Devon) before day, the king lost Sidney Godolphin, a young gentleman of incomparable parts; who, being of a constitution and education more delicate, and unacquainted with contentions, upon his observation of the wickedness of those men in the house of commons, of which he was a member, out of the pure indignation of his soul against them[c], and conscience to his country, had, with the first, engaged himself with that party in the west: and though he thought not fit to take command in a profession he had not willingly chosen, yet as his advice was of great authority with all the commanders, being always one in the council of war, and whose notable abilities they had still use of in their civil transactions, so he exposed his person to all action, travel, and hazard; and by too forward engaging himself in this last, received a mortal shot by a musket, a little above the knee, of which he died in the instant; leaving the misfortune[d] of his death Mr. Sidney Godolphin slain.

[a] Chudleigh,] James Chudleigh,

[b] in] *Not in MS.*

[c] against them] *Not in MS.*

[d] misfortune] ignominy

BOOK VI.

upon a place, which could never otherwise have had a mention to the world.

1643. After this, which happened about the end of January, in respect of the season of the year, and the want of ammunition, finding that they could make no impression upon the strong holds of the enemy, they retired, with their whole forces, to Tavistock; where they refreshed and rested themselves many days, being willing to ease their fast friends of Cornwall, as much as was possible, from the trouble and charge of their little army. The difficulties they were entangled with were very prodigious; of which one was, that the other parts of[c] the west were so entirely possessed by the enemy, that they could have no correspondence, or receive any intelligence from the king, not one messenger in ten arriving at his journey's end. Then though the justice and piety of the cause added much power to particular persons in raising an army; yet the money, that was raised for the maintenance and payment of that army, was entirely upon the reputation, credit, and interest of particular men: and how long that spring would supply those streams, the most sanguine among them could not presume; but the want of ammunition troubled them most of all: they had yet had none but what had been taken out of the low store of Pendennis castle, and what they had won from the enemy; the first wanted a supply for its own provision, but which way to procure that supply they could not imagine; and the fear and apprehension of such straits, against which

The king's Cornish forces come to Tavistock.

[c] the other parts of] *Not in MS.*

no probable hopes occur,[f] is more grievous and insupportable than any present want.

1643.

In this instant, as if sent by Providence, they met with an opportunity[g] they had scarce courage to hope for: captain Carteret, the controller of the king's navy, having in the beginning of the troubles, after he had refused to have command in their fleets, without[h] noise withdrawn himself and his family out of England to Jersey, and being there impatient of being[i] quiet, whilst his master was in the field, transported[k] himself into Cornwall with a purpose to raise a troop of horse, and to engage in that service: when he came thither, he was unanimously importuned by the commanders, after they had acquainted him with their hopeless and desperate want of powder, to assist them in that manner, that the many good ports in their power might be made of some use to them in the supply of powder: whereupon he shortly returned into France; and first upon his own credit, and then upon return of such commodities out of Cornwall as they could well spare, he supplied them with such great proportions of all kinds of ammunitions, that they never found want after.

Captain Carteret supplies them with ammunition.

In the mean time, when they were clouded with that want at Tavistock, some gentlemen of Cornwall who adhered to the rebels, and were thereby dispossessed of their county, made some overtures, "that a treaty might be entered into, whereby the "peace of those two counties of Cornwall and De-

[f] hopes occur,] hope occurs,
[g] they met with an opportunity] an opportunity found them
[h] without] had without
[i] of being] to be
[k] transported] he transported

BOOK VI. 1643.

"von might be settled, and the war be removed "into other parts." They who had most experience of the humours and dispositions of the factious party, easily concluded the little hope of peace by such a treaty; yet the proposition was so specious and popular, that there was no rejecting it; and therefore they agreed to a meeting between persons chosen of either side; and the earl of Stamford himself seemed so ingenuous, that, at the very first meeting, to shew their clear intentions, it was mutually agreed, that every person employed and trusted in the treaty should first make a protestation in these words:

A treaty between the two parties in Devon and Cornwall:

This protestation being first taken by both.

"I do solemnly vow and protest, in the presence of "Almighty God, that I do not only come a commissioner to this treaty, with an hearty and fervent "desire of concluding an honourable and firm peace "between the two counties of Cornwall and Devon; "but also will, to the utmost of my power, prosecute and really endeavour to accomplish and effect "the same, by all lawful ways and means I possibly "can; first by maintaining the protestant religion "established by law in the church of England, the "just rights and prerogative of our sovereign lord "the king, the just privileges and freedom of parliaments; together with the just rights and liberty "of the subjects; and that I am without any intention (by fomenting this unnatural war) to gain, "or hope to advantage myself with the real or personal estate of any person whatsoever, or obtaining any office, command, title of honour, benefit, "or reward, either from the king's majesty, or either "or both houses of parliament now assembled. And "this I take, in the presence of Almighty God, and "as I shall answer the same at his tribunal, accord-

"ing to the literal sense and meaning of the fore-
"going words, without any equivocation, mental re-
"servation, or other evasion whatsoever. So help
"me God."

1643.

The taking this protestation with that solemnity, and the blessed sacrament thereupon, made even those, who before expected little fruit from the treaty, believe, that men, being so engaged, would not be liable to those passions and affections, which usually transported that party; and so to hope that some good might proceed from it: and therefore the king's party were easily induced to retire with their forces into Cornwall; and thereupon a truce and cessation was agreed upon, that a treaty[1] might proceed without interruption. In which treaty, the same continuing beyond the expiration of the present year 1642, we shall for the present leave them; that we may take a short survey of the northern parts, and remember by what degrees they came to feel the calamities, and to bear their burden in the civil war.

A truce and cessation thereupon.

When the king left Yorkshire, he appointed sir Thomas Glemham, at the desire of the gentlemen of that county, as was before remembered, to stay in York, to order and command those forces, which they should find necessary to raise, to defend themselves from the excursions of Hull, whence young Hotham infested the country more than his father; who was willing enough to sit still in his garrison, where he believed he could make advantage upon the success of either party: and they who were most inclined to the parliament (whereof the lord

An account of the northern parts disposition at that time.

[1] a treaty] the treaty

BOOK VI. 1643.

Fairfax and his son were the chief; from whom the king was so far from expecting any notable mischief, that he left them all at their own houses, when he went from[m] thence; and might, if he had thought it requisite, have carried them away prisoners with him) were rather desirous to look on, than engage themselves in the war; presuming that one battle would determine all disputes, and the party which prevailed in that would find a general submission throughout the kingdom. And truly, I believe, there was scarce one conclusion, that hath contributed more to the continuance and length of the war, than that generally received opinion in the beginning, that it would be quickly at an end. Hereupon, there being but one visible difference like to beget distractions in the country, which was about the militia, the king appointing it to be governed and disposed by the commission of array, and the parliament by their[n] ordinance; for the composing whereof, the gentlemen of the several opinions proposed, between themselves, "that neither the one "nor the other should be meddled with; but that "all should be contented to sit still, without engage-"ment to either party." This seemed very reasonable to the parliament party there[o], who were rather carried away with an implicit reverence to the very[p] name of a parliament (the fatal disease of the whole kingdom at that time[q]) than really transported with the passion and design of the furious part of it; and who plainly discerned, that by much the greatest part of the persons of honour, quality, and in-

[m] from] *Not in MS.*
[n] their] its
[o] there] *Not in MS.*
[p] very] *Not in MS.*
[q] at that time] *Not in MS.*

terest in the county would cordially oppose their proceedings: for, besides the lord Fairfax, there were in truth few of good reputation and fortune, who run that way. On the other hand, the king's party thought their work done by it; for they having already sent two good regiments of foot, the one under colonel John Bellasis, younger son to the lord viscount Falconbridge, and the other under sir William Pennyman; and two regiments of dragoons, the one under colonel Duncomb; the other, colonel Gowre; besides three or four good troops of horse; and the king being at that distance, that they could not send him farther supply; they thought they had nothing to do, but to keep the country in such a peace, that it might do the king no harm by sending men to the earl of Essex, or adhering to the garrison of Hull; and concluding, as the other did, that the decision between the king and parliament would be at the first encounter. Upon these deliberations, articles were solemnly drawn up, consented to and subscribed by the lord Fairfax, and Harry Bellasis, the heir apparent of the lord Falconbridge, who were the two knights who served in parliament for Yorkshire, nearly allied together, and of great kindness till their several opinions and affections had divided them in this quarrel: the former adhering to the parliament; the latter, with great courage and sobriety, to the king.

1643.

Articles of neutrality agreed in Yorkshire between both parties.

With them, the principal persons of either party subscribed the articles, and gave their mutual faiths to each other, that they would observe them; being indeed no other than an engagement of neutrality, and to assist neither party. Of all the gentry of

BOOK VI. 1643.

Yorkshire, there were only two dissenters on the parliament side; young Hotham, and sir Edward Rhodes; who, though of the better quality, was not so much known, or considered, as the other. But they quickly found seconds enough; for the parliament no sooner was informed of this transaction, than they expressed their detestation of it, and gently in words (though scornfully in matter) reprehending the lord Fairfax, and his party, "for being "cozened and overreached by the other;" they declared, "that none of the parties to that agreement "had any authority to bind that country to any "such neutrality, as was mentioned in that agree-"ment; it being a peculiar and proper power and "privilege of parliament, where the whole body of "the kingdom is represented, to bind all, or any "part thereof: that it was very prejudicial and dan-"gerous to the whole kingdom, that one county "should withdraw themselves from the assistance "of the rest, to which they were bound by law, and "by several orders and declarations of parliament: "that it was very derogatory to the power and autho-"rity of parliament, that any private men should "take upon them to suspend the execution of the "ordinance of the militia, declared by both houses "to be according to law, and very necessary, at that "time, for the preservation of the peace and safety "of the kingdom. And therefore, they said, they "thought themselves bound in conscience to hinder "all farther proceedings upon that agreement; and "ordered, that no such neutrality should be ob-"served in that county. For if they should suffer "particular counties to divide themselves from the "rest of the kingdom, it would be a means of bring-

But disowned by the parliament: upon which they entered into acts of hostility there.

"ing all to ruin and destruction." And therefore they farther declared, that "neither the lord Fair-"fax, nor the gentlemen of Yorkshire, who were "parties to those articles, nor any other inhabitants "of that county, were bound by any such agree-"ment; but required them to pursue their former "resolutions, of maintaining and assisting the par-"liament, in defence of the common cause, accord-"ing to the general protestation wherein they were "bound with the rest of the kingdom, and against "the particular protestation by themselves lately "made; and according to such orders and commis-"sions as they should receive from both houses of "parliament, from the committee of the lords and "commons appointed for the safety of the kingdom, "or from the earl of Essex, lord general." And, lest this their declaration should not be of power enough to dissolve this agreement, they published their resolution, and directed that "Mr. Hotham "and sir Edward Rhodes should proceed upon their "former instructions; and that they should have "power to seize and apprehend all delinquents that "were so voted by the parliament, and all such "others, as delinquents, as had, or did shew them-"selves opposite and disobedient to the orders and "proceedings of parliament."

Upon this declaration, and vote, not only young Hotham fell to the practice of acts of hostility, with all licence, out of the garrison at Hull: but the lord Fairfax himself, and all the gentlemen of that party, who had, with that protestation, signed the articles, instead of resenting the reproach to themselves, tamely submitted to those unreasonable conclusions; and, contrary to their solemn promise and engage-

BOOK VI. ment, prepared themselves to bear a part in the war, and made all haste to levy men.

1643. Upon so great a disadvantage were the king's party in all places; who were so precise in promises, and their personal undertakings, that they believed they could not serve the king, and his cause, if their reputation and integrity were once blemished, though some particular contract proved to his disadvantage: whilst the others exposed their honours for any present temporary conveniencies, and thought themselves absolved by any new resolution of the houses, to whose custody their honour and ingenuity was committed. The present disadvantage of this rupture was greater to the king's party there, than to the other. For (besides that many, who concurred with them very frankly and solicitously in the neutrality, separated themselves from them now there was a necessity of action) they had neither money to raise men, nor arms to arm them; so that the strength consisted in the gentlemen themselves, and their retinue; who, by the good affections of the inhabitants of York, were strong enough to secure one another within the walls of that city. Then the earl of Cumberland, in whom the chief power of command was to raise men and money in a case of necessity, though he was a person of entire devotion to the king, was in his nature unactive, and utterly unexperienced in affairs and exigents of that nature.

On the other hand, the opposite party was strengthened and enabled by the strong garrison of Hull, whence young Hotham, on all occasions, was ready to second them with his troop of horse, and to take up any well affected person who was suspected to

be loyal; which drove all resolved men from their houses into York, where they only could be safe. The other[r] could have what men more they desired from London, and both ready money from thence to Hull, and ordinances to raise what they would in the county to pay them. Leeds, Halifax, and Bradford, three very populous and rich towns, (which depending wholly upon clothiers too much[s] maligned the gentry,) were wholly at their disposition. Their neighbours in Lincolnshire were in a body to second them, and sir John Gell was on the same behalf possessed of Derby, and all that county, there being none that had the hardiness yet, to declare there for the king. So that, if sir John Hotham's wariness had not kept him from being active, and his pride, and contempt of the lord Fairfax, upon whom the country chiefly depended, hindered him from seconding and assisting his lordship; or if any man had had the entire command of those parts and forces, to have united them, the parliament had, with very little resistance, been absolute masters of all Yorkshire; and, as easily, of the city itself. But their want of union in particulars,[t] though they agreed too well in the main, gave the king's party time to breathe, and to look about for their preservation. Thereupon they sent to the earl of Newcastle for assistance; offering, "if he would march "into Yorkshire, they would join with him, and be "entirely commanded by him;" the earl of Cumberland willingly offering to wave any title to command. 1643.

[r] The other] They

[s] too much] naturally

[t] in particulars,] in the by,

BOOK VI.

1643.

It was before remembered, that, when the king left York, he had sent the earl of Newcastle, as a person of great honour and interest in those parts, to be governor of Newcastle; and so to secure that port, that the parliament might neither seize it, nor the Scots be bribed by it to come to the assistance of their brethren. Which commission from the king his lordship no sooner executed, without the least hostility, (for that town received him with all possible acknowledgments of the king's goodness in sending him,) but he was impeached by the house of commons of high treason. From his going thither, (which was in August,) till toward the end of November, the earl spent his time in disposing the people of Northumberland, and the bishopric of Durham, to the king's service, and to a right understanding of the matters in difference; in the fortifying Newcastle, and the river; whereby that harbour might only be in the king's obedience; in raising a garrison for that place, and providing arms for a farther advance of the king's service. Then he provided for the assistance of his friends in Yorkshire, whose condition grew every day more desperate. For the parliament, finding the inconveniencies of having no commander in chief in those parts, had caused their generalissimo, the earl of Essex, to send a commission to the lord Fairfax, "to command all the forces of Yorkshire, and the adjacent counties, in chief;" by which, in less time than could be reasonably imagined, he was able to draw together an army of five or six thousand horse and foot; so that York must presently have been swallowed up.

The lord Fairfax made general of Yorkshire for the parliament.

But, in the beginning of December, the earl of Newcastle marched to their relief; and having left a good garrison in Newcastle, and fixed such small garrisons in his way, as might secure his communication with that port, to which all his ammunition was to be brought; with[u] a body of near three thousand foot, and six or seven hundred horse and dragoons, without any encounter with the enemy, (though they had threatened loud,) he entered York; having lessened the enemy's strength, without blood, both in territories and men. For, as soon as he entered Yorkshire, two regiments raised in Richmondshire and Cleveland dissolved of themselves; having it yet in their choice to dwell at home, or to leave their houses to new comers. The earl being now master of the north as far as York, thought rather of forming an army, and providing money to pay it, than of making any farther progress in the winter; and therefore suffered the lord Fairfax to enjoy the southern part of that large rich county, till the spring, and the improvement of his condition,[x] should enable him to advance: yet few days passed without blows, in which the parliament forces had usually the worst.

1643. The earl of Newcastle comes from Newcastle into York.

Shortly after the earl's coming to York, general King repaired to him, whom he made lieutenant general of his army; who, notwithstanding the unavoidable prejudice, in that conjuncture,[y] of his being a Scotchman, ordered the foot with great wisdom and dexterity: the charge of the horse being at the same time committed to general Goring; who,

[u] with] and with

[x] and the improvement of his condition,] and his improved posture,

[y] in that conjuncture,] *Not in MS.*

BOOK VI. 1643.

by the queen's favour, notwithstanding all former failings, was recommended to that province, and quickly applied himself to action: so that, though the lord Fairfax kept Selby and Cawood, both within a small distance from York, the earl was absolute master of the field. And now the north yielding secure footing for those who had been unreasonably persecuted for their obedience to the king, the queen herself thought of returning into England.

Her majesty had, from her first going into Holland, dexterously endeavoured[z] to advance the king's interest, and sent very great quantities of arms and ammunition to Newcastle, (though, by the vigilance of the parliament agents in those parts, and the power of their ships, too much of it was intercepted,) with some considerable sums of money, and good store of officers; who, by the connivance of the prince of Orange, came over to serve their own king. And from this extraordinary care of her majesty's, and her known grace and favour to the person of the earl of Newcastle, who she well knew had contracted many enemies by the eminency of his devotion to the king, that army was by the parliament styled the *queen's army*, and the *catholic army*, thereby to expose her majesty the more to the rude malice of the people, and the army to their prejudice; persuading them "that it consisted of "none but professed papists, who intended nothing "but the extirpation of the protestants, and esta- "blishing their own profession."

About the middle of February, the queen took shipping from Holland, in a States man of war, as-

[z] endeavoured] laboured

signed by the prince of Orange with others for her convoy, and arrived safely in Burlington Bay, upon the coast of Yorkshire; where she had the patience to stay on shipboard at anchor, the space of two days, till the earl had notice, "to draw such a part "of his forces that way, as might secure her land- "ing, and wait on her to York;" which he no sooner did, (and he did it with all imaginable expedition,) but her majesty came on shore; and, for the present, was pleased to refresh herself in a convenient house upon the very key, where all accommodations were made for her reception; there being many things of moment to be unshipped before she could reasonably enter upon her journey towards York. BOOK VI. 1643. The queen arrives at Burlington from Holland.

The second day after the queen's landing, Batten, vice-admiral to the earl of Warwick, (who had waited to intercept her passage,) with four of the king's ships, arrived in Burlington Road; and, finding that her majesty was landed, and that she lodged upon the key, bringing his ships to the nearest distance, being very early in the morning, discharged above a hundred cannon (whereof many were laden with cross-bar-shot) for the space of two hours upon the house where her majesty was lodged: whereupon she was forced out of her bed, some of the shot making way through her own chamber; and to shelter herself under a bank in the open fields; which barbarous and treasonable act was so much the more odious, in that the parliament never so far took notice of it, as to disavow it. So that many believed it was very pleasing to, if not commanded by them; and that, if the ships had encountered at sea, they would have left no hazard unrun to have destroyed her majesty.

BOOK VI.

1643.

The earl of Newcastle fixed a garrison at Newark.

The queen shortly after removed to York, and the king's affairs prospered to that degree, that, as the earl of Newcastle had before fixed a garrison at Newark in Nottinghamshire, which kept the forces of Lincoln from joining entirely with the lord Fairfax, and had with great courage beaten off a formed body of the rebels who attempted it; so he now sent Charles Cavendish, the younger brother of the earl of Devonshire, with a party volant of horse and dragoons, into Lincolnshire; where, about the middle of March, he assaulted Grantham, a new garrison of the rebels; which he took, and in it above three hundred prisoners, with all their officers, arms, and ammunition: and, about the same time, sir Hugh Cholmondley, who had done very notable service to the parliament, and oftener defeated the earl of Newcastle's troops (though he had been in truth hurried to that party, rather by the engagement of sir John Hotham, with whom he had long friendship, than by his own inclination) than any officer of those parts, very frankly revolted to his allegiance; and waiting on her majesty for her assurance of his pardon, delivered up the castle of Scarborough (a place of importance[a]) to the king; the command and government whereof was again by the earl committed to him; which he discharged with courage and singular fidelity. By this means, and those successes, the lord Fairfax quitted Selby, Cawood, and Tadcaster, and retired to Pomfret and Halifax; whereby the earl was, upon the matter, possessed of that whole large county, and so able to help his neighbours. This was the state of that

Sir Hugh Cholmondley delivered up Scarborough castle to the queen.

The condition at

[a] importance] great importance

part of the north which was under the earl of Newcastle's commission: for Lancashire, Cheshire, and Shropshire, were in a worse condition; of which, and the neighbour counties, it will be necessary in the next place to say somewhat; and of those first which lie farthest off. 1643. that time of Lancashire, Cheshire, and Shropshire.

We have said before, that when the king left Shrewsbury, and marched to meet the earl of Essex, (which he did at Edge-hill,) all his designs being to come to a battle; and the opinion of most, that a battle would determine all; he was to apply all the strength and forces he could possibly raise, to the increasing his army; so that he left no garrison[b] behind him, but relied upon the interest and authority of the lord Strange, (who was, by the death of his father, now earl of Derby,) to suppress all commotions and insurrections, which might happen in the counties of Lancashire and Cheshire; which his lordship was confident he should be able to do, and was then generally believed to have a greater influence upon those two counties, and a more absolute command over the people in them, than any subject in England had, in any other quarter of the kingdom. The town of Shrewsbury, and that good county, where the king had been so prosperous, (and by which the people were more engaged,) he intrusted only to that good spirit that then possessed it, and to the legal authority of the sheriffs and justices of the peace. And it fared in those counties as in all other parts of the kingdom, that the number of those who desired to sit still was greater than of those who desired to engage in either

[b] no garrison] no one garrison

BOOK VI. party; so that they were generally inclined to articles of neutrality. And in Cheshire, the active people of both sides came to those capitulations, with as much solemnity as had been in Yorkshire, and by[c] the same declaration of the parliament[d] (so much the same, that there was no other difference but alterations of names and places) were absolved from the observation of them. And then sir William Bruerton, a gentleman of a competent fortune in that county, and knight for that shire in parliament, but most notorious for a known aversion to the government of the church, bringing with him from London a troop of horse, and a regiment of dragoons, marched thither to protect those who were of that party, and, under such a shelter, to encourage them to appear.

1643.

The city of Chester was firm to the king, by the virtue of the inhabitants, and interest of the bishop, and cathedral men; but especially by the reputation and dexterity of Mr. O.[e] Bridgman, son to the bishop, and a lawyer of very good estimation; who not only informed them of their duty,[f] and encouraged them in it, but upon his credit and estate, both which were very good, supplied them with whatsoever was necessary for their defence; so that they were not put to be honest and expensive together. But as they had no garrison of soldiers, so they had no officer of skill and experience to manage and direct that courage which, at least, was willing to defend their own walls; which they were now like to be put to. Therefore the king sent thither

[c] by] with

[d] of the parliament] *Not in MS.*

[e] O.] *Not in MS.*

[f] duty,] duties,

sir Nicholas Byron, a soldier of very good command, with a commission to be "colonel general of Che- "shire and Shropshire; and to be governor of Ches- "ter;" who being a person of great affability and dexterity, as well as martial knowledge, gave great life to the designs of the well affected there; and, with the encouragement of some gentlemen of North Wales, in a short time raised such a power of horse and foot, as made often skirmishes with the enemy; sometimes with notable advantage, never with any signal loss. Sir William Bruerton[g] fortified Nantwich, as the king's party did Chester: from which garrisons, containing[h] both their forces, they contended which should most prevail upon, that is most subdue, the affections of the county, to declare for and join with them. But the fair expectation of Cheshire was clouded by the storms that arose in Lancashire, where men of no name, and contemned interest, by the mere credit of the parliament, and frenzy of the people, on a sudden snatched that large and populous county from their devotion to the earl[i] of Derby.

BOOK VI. 1643.

The town of Manchester had, from the beginning, (out of that factious humour which possessed most corporations, and the pride of their wealth,) opposed the king, and declared magisterially for the parliament. But as a great part[k] of the county consisted of papists, of whose insurrections they had made such use in the beginning of the parliament, when they had a mind to alarm the people with

[g] Sir William Bruerton] So that sir William Bruerton

[h] containing] which contained

[i] earl] great earl

[k] a great part] the major part

BOOK VI. 1643.

dangers; so it was confidently believed, that there was not one man of ten throughout that county, who meant not to be dutiful and loyal to the king: yet the restless spirit of the seditious party was so sedulous and industrious, and every one of the party so ready to be engaged, and punctually to obey; and, on the other hand, the earl of Derby so unactive, and[l] so uncomplying with those who were fuller of alacrity, and would have proceeded more vigorously against the enemy; or, through want of experience, so irresolute,[m] that, instead of countenancing the king's party in Cheshire, which was expected from him, the earl, insensibly, found Lancashire to be almost possessed against him; the rebels every day gaining and fortifying all the strong towns, and surprising his troops, without any considerable encounter. And yet, so hard was the king's condition, that, though he knew those great misfortunes proceeded from want of conduct, and of a vigorous and expert commander, he thought it not safe to make any alteration, lest that earl might be provoked, out of disdain to have any superior in Lancashire, to manifest how much he could do against him, though it appeared he could do little for him. Yet it was easily discerned, that his ancient power there depended more upon the fear than love of the people; there being very many, now in this time of liberty, engaging themselves against the king, that they might not be subject to that lord's commands.

However, the king committing Lancashire still

[l] and] and through greatness of mind

[m] through want of experience, so irresolute,] through fear so confounded,

to his lordship's care, (whose fidelity, without doubt, was blameless, whatever his skill[n] was,) he sent the lord Capel to Shrewsbury, with a commission of "lieutenant general of Shropshire, Cheshire, and "North Wales;" who, being a person of great fortune and honour, quickly engaged those parts in a cheerful association; and raised a body of horse and foot, that gave sir William Bruerton so much trouble at Nantwich, that the garrison at Chester had breath to enlarge its quarters, and to provide for its own security; though the enemy omitted no opportunity of infesting them, and gave them as much trouble as was possible. It[o] cannot be denied but sir William Bruerton, and the other gentlemen of that party, albeit their education and course of life had been very different from their present engagements, and for the most part were very unpromising in matters of war,[p] and therefore were too much contemned enemies, executed their commands with notable sobriety, and indefatigable industry, (virtues not so well practised in the king's quarters,) insomuch as the best soldiers who encountered with them had no cause to despise them. It is true, they had no other straits and difficulties to struggle with, than what proceeded from their enemy; being always supplied with money to pay their soldiers, and with arms to arm them; whereby it was in their power not to grieve and oppress the people. And thereby (besides the spirit of faction that much governed) the common people were more devoted to them, and gave them all intelligence of what might concern them; whereas they who were intrusted to

[n] skill] skill and courage

[o] It] And it

[p] in matters of war,] to matters of courage,

BOOK VI. 1643.

govern the king's affairs had intolerable difficulties to pass through; being to raise men without money, to arm them without weapons, (that is, they had no magazine to supply them,) and to keep them together without pay; so that the country was both to feed and clothe the soldiers; which quickly inclined them to remember only the burden, and forget the quarrel.

The[q] difference in the temper of the common people of both sides was so great, that they who inclined to the parliament left nothing unperformed that might advance the cause; and were incredibly vigilant and industrious to cross and hinder whatsoever might promote the king's: whereas they who wished well to him thought they had performed their duty in doing so, and that they had done enough for him, in that they had done nothing against him.

Though, by this sending the lord Capel, those counties of Shropshire and Cheshire, with the assistance of North Wales, kept those parts so near their obedience, that their disobedience was not yet pernicious to the king, in sending assistance to the earl of Essex against his majesty, or to the lord Fairfax against the earl of Newcastle; yet those counties which lay in the line between Oxford and York were, upon the matter, entirely possessed by the enemy. The garrison of Northampton kept that whole county in obedience to the parliament, save that from Banbury the adjacent parts[r] were forced to bring some contribution thither. In Warwickshire the king had no footing; the castle of

The condition at that time of the counties between Oxford and York.

[q] The] And the

[r] parts] parishes

Warwick, the city of Coventry, and his own castle of Killingworth, being fortified against him. The lord Grey, son to the earl of Stamford, had the command of Leicestershire, and had put a garrison into Leicester. Derbyshire, without any visible party in it for the king, was under the power of sir John Gell, who had fortified Derby. And all these counties, with Staffordshire, were united in an association against the king under the command of the lord Brook; who was, by the earl of Essex, made general of that association; a man cordially disaffected to the government of the church, and upon whom that party had a great dependence. This association received no other interruption from, or for the king, than what colonel Hastings gave; who, being a younger son to the earl of Huntingdon, had appeared eminently for the king from the beginning; having raised a good troop of horse with the first, and, in the head thereof, charged at Edge-hill. 1643.

After the king was settled at Oxford, colonel Hastings, with his own troop of horse only, and some officers which he easily gathered together, went with a commission into Leicestershire, of "colonel general of that county," and fixed himself at Ashby de la Zouch, the house of the earl of Huntingdon, his father, who was then living; which he presently fortified; and, in a very short time, by his interest there, raised so good a party of horse and foot, that he maintained many skirmishes with the lord Grey: the king's service being the more advanced there, by the notable animosities between the two families of Huntingdon and Stamford; between whom the county was divided passionately enough, without any other quarrel. And now the

BOOK VI. 1643.

sons fought the public quarrel, with their private spirit and indignation. But the king had the advantage in his champion, the lord Grey being a young man of no eminent parts, and only backed with the credit and authority of the parliament: whereas colonel Hastings, though a younger brother, by his personal reputation, had supported his family;[s] and, by the interest of it,[t] and the affection that people bore to him, brought, no doubt, an addition of power to the very cause. Insomuch as he not only defended himself against the forces of the parliament in Leicestershire, but disquieted sir John Gell in Derbyshire, and fixed some convenient garrisons in Staffordshire.

About the same time, some gentlemen of that county, rather well affected than experienced,[u] before they were well enough provided to go through their work, seized on[x] the Close in Lichfield for the king; a place naturally strong, and defended with a moat, and a very high and thick wall; which in the infancy of the war was thought a good fortification. To suppress this growing force, within the limits of his association, the lord Brook advanced with a formed body of horse, foot, and cannon; part drawn from the earl of Essex's army, and the rest out of the garrisons of Coventry and Warwick; and, without any resistance, entered the city of Lichfield; which, being unfortified, was open to all comers. The number in the Close was not great, nor their provisions such as should have been, and very well might have been, made; so that he made

[s] his family;] his decaying family;

[t] it,] his family,

[u] experienced,] well advised,

[x] on] of

no doubt of being speedily master of it; sir John Gell having brought up a good addition of strength to him from Derby. He was so far from apprehending any danger from the besieged, that himself lodged in a house within musket-shot of the Close; where, the very day he meant to assault it, sitting in his chamber, and the window open, he was, from the wall of the Close, by a common soldier, shot with a musket in the eye; of which he instantly died without speaking a word.

1643. The lord Brook shot in besieging the cathedral of Lichfield, which was soon after taken by sir John Gell.

There were many discourses and observations upon his death, that it should be upon St. Chad's day, (being the second day of March,) by whose name, he being a bishop shortly after the planting of Christianity in this island, that church had been anciently called. And it was reported, that in his prayer, that very morning, (for he used to pray publicly, though his chaplain were in the presence,) he wished, "that, if the cause he were in were not "right and just, he might be presently cut off." They who were acquainted with him believed him to be well natured and just; and rather seduced and corrupted in his understanding, than perverse and malicious. Whether his passions or conscience swayed him, he was undoubtedly one of those who could have been with most difficulty reconciled to the government of church or state: and therefore his death was looked upon as no ill omen to peace, and was exceedingly lamented by his party;[y] which had scarce a more absolute confidence in any man than in him. However, it brought not that relief to the besieged in the Close as was believed it

[y] his party;] that party;

BOOK VI. 1643.

would; for the same forces, under sir John Gell, proceeded so vigorously in the work, and they within so faintly and[z] unskilfully, that without any of that distress which men thought it might bear, and which it did, within a short time after, bear against the king, the place was yielded without other conditions than of quarter; by which many persons became prisoners, of too good quality to have their names remembered.

Stafford garrisoned by some gentlemen for the king.

By this prize, the spirits of that party were much exalted, and the king's party in those parts as much cast down. Yet some gentlemen betook themselves to the town of Stafford, and having too much declared for the king, when they thought Lichfield would have been of strength to secure them, to hope to live unhurt at their houses, resolved to defend that place; against which sir John Gell[a] drew his late fleshed troops. But the earl of Northampton (who intended the relief of Lichfield, if they had had any patience to expect it) with a strong party of horse and dragoons, from his garrison of Banbury, came seasonably to their succour, and put himself into the town; and, the same night, beat up a quarter of the enemy's, in which he killed and took above an hundred of their horse. Sir John Gell retired so far as to meet with sir William Brucrton, who, from Nantwich, was coming to join with him for the subduing of Stafford; and, having done that, resolved to march in a body for the clearing the other counties. When they were joined, being near three thousand foot and horse, with a good train of artillery, they moved back towards

[z] and] or [a] sir John Gell] the triumphant Gell

Stafford, imagining the earl of Northampton would meet them without the walls: and it so fell out; for the earl no sooner heard that the rebels were drawing towards the town, but he drew out his party to encounter them; imagining it could be only Gell, whose numbers he understood, and whose courage he much undervalued. BOOK VI. 1643.

It was on a Sunday, about the middle of March, when, in the afternoon, he marched out of Stafford; his party consisting of horse, and dragoons, and some few foot, the whole number being under one thousand, and found the enemy, in very good order, expecting them upon a place called Hopton-Heath, some two miles from Stafford. Though the number was more than double to the earl's, yet the heath seeming very fair, the breadth of it being more than musket-shot from enclosure on each side, and the number of his horse being at least equal to the other, he resolved to charge them; and accordingly did, with so good success, that he totally routed that part of their horse; and, rallying again his men, he charged the other part of their horse, which stood more in shelter of their foot; and so totally routed and dispersed them, that the enemy had scarce a horse left upon the field; and took likewise from them eight pieces of cannon.

In this second charge, the earl of Northampton, being engaged on the execution, very near or among their foot, had his horse killed under him. So that his own horse (according to their unhappy practice) with too much fury pursuing the chase, he was left encompassed by his enemies. What [b] his beha-

[b] enemies. What] enemy; so that what

BOOK VI. 1643.

viour was afterwards, and their carriage towards him, can be known only by the testimony of the rebels; who confessed, that, after he was on his feet, he killed with his own hand the colonel of foot who made first haste to him; and that, after his headpiece was stricken off with the butt-end of a musket, they offered him quarter; which, they say, he refused; answering, "that he scorned to take "quarter from such base rogues and rebels, as they "were." After which, he was slain by a blow with a halbert on the hinder part of his head, receiving, at the same time, another deep wound in his face.

The earl of Northampton slain on Hopton-Heath near Stafford, having first vanquished the enemy's horse that opposed him.

All this time the enemy's foot stood, which (after their horse were dispersed) sir Thomas Byron, who commanded the prince of Wales's regiment, a gentleman of great courage, and of very good conduct, charged with good execution. But the night came on apace, and the field, which they thought so fair, was found full of coal-pits and holes dangerous for their horse; so that they thought fit to forbear farther action, till they might have the morning's light; and stood all that night in the field. When the morning appeared, there was no enemy to be seen. For as soon as the fight ended, and the night drew on, that they were unperceived, they had left the field, in hope that their scattered horse would find them in quarters more remote from the danger. The[d] victorious party was so harassed with duty, and tired with the fight, so cast down with the loss of their general, and so destitute of officers to direct and command what was next to be done, (for the lord Compton, the earl's eldest son, had received a

[d] The] But the

shot in the leg; sir Thomas Byron a shot in the thigh, whereby they were not able to keep the field; and many other officers hurt,) that they retired to refresh themselves at Stafford, after they had taken the spoil of the field, and buried their dead. BOOK VI. 1643.

In this fight, which was sharp and short, there were killed, and taken prisoners, of the parliament party, above two hundred, and more than that number wounded. For, the horse charging among their foot, more were hurt than killed. Eight pieces of their cannon, and most of their ammunition was likewise taken. Of the earl's party were slain but five and twenty, whereof there were two captains, some inferior officers, and the rest common men; but there were as many hurt, and those of the chief officers. They who had all the ensigns of victory, but their general, thought themselves undone; whilst the other side, who had escaped in the night, and made a hard shift to carry his dead body with them, hardly believed they were losers:

Et, velut æquali bellatum sorte fuisset,
Componit cum classe virum———

His character.

The truth is, a greater victory had been an unequal recompense for such a loss.[e] He was a person of great courage, honour, and fidelity, and not well known till his evening; having, in the ease, and plenty, and luxury of that too happy time, indulged to himself, with that licence which was then thought necessary to great fortunes: but from the beginning of these distractions, as if he had been awakened out of a lethargy, he never proceeded

[e] such a loss.] a less loss.

BOOK VI. 1643.

with a lukewarm temper. Before the standard was set up, he appeared in Warwickshire against the lord Brook, and as much upon his own reputation as the justice of the cause (which was not so well then understood) discountenanced, and drove him out of that county. Afterwards he took the ordnance from Banbury castle, and brought them to the king. As soon as an army was to be raised, he levied, with the first, upon his own charge, a troop of horse, and a regiment of foot, and (not like some other men, who warily distributed their family to both sides, one son to serve the king, whilst his father, or another son, engaged as far for the parliament) entirely dedicated all his children to the quarrel; having four sons officers under him, whereof three charged that day in the field: and, from the time he submitted himself to the profession of a soldier, no man more punctual upon command, no man more diligent and vigilant in duty. All distresses he bore like a common man, and all wants and hardnesses, as if he had never known plenty or ease; most prodigal of his person to danger; and would often say, "that if he outlived these wars, he "was certain never to have so noble a death." So that it is not to be wondered, if, upon such a stroke, the body that felt it, thought it had lost more than a limb.

As soon as it was known where the enemy rested after their retreat, the young earl of Northampton sent a trumpet to sir John Gell, to desire the body of his father, that he might give it such decent burial as became him. Gell and Bruerton jointly, by letter, demanded, "in exchange for the dead body, "all their ammunition, prisoners, and cannon, they

"had lost at the battle;" which demands being so unreasonable, and against the law of arms, the earl sent again to them, to desire, "that if they would "not return the corpse, that his chirurgeon might "have leave to embalm it, whereby it might be "preserved to receive those rites, when they should "be willing to gratify him, which, he presumed, "upon more dispassionate thoughts, they would "be." Their answer to this was as unreasonable as the other; "that they would neither send the "body, nor permit his chirurgeons to come to em-"balm it;" presuming, it is probable, that the piety of the son would have prevailed to have their unheard of propositions complied with.

The state of the principality of Wales at that time.

And so we shall, for the present, leave these parts, and visit the principality of Wales; of which, hitherto, very little hath been said; and from the affection whereof, the king had, from the beginning, a very great benefit; it having supplied him with three or four good regiments of foot, in which many of their gentry were engaged, before the battle of Edge-hill.

It hath been before remembered, that the marquis of Hertford drew with him out of Wales, and brought to Oxford, about Christmas, near two thousand men; leaving Wales guarded only with the courage and fidelity of the gentry and inhabitants. After that, North Wales lying most convenient to back Chester and Shrewsbury, which places, whilst the enemy was master of the field, received their chief supplies of men and provisions from thence; the king always put it under the government of those to whom he committed those parts. South Wales, which is much the larger and richer part of

The lord Herbert, son of the earl of

BOOK VI.

1643. Worcester, made general of South Wales.

that dominion, he committed to the charge of the lord Herbert, eldest son to the marquis of Worcester; whom he made his lieutenant general, adding Monmouthshire to his commission.

There were, in the opinion of many, great objections against committing that employment to that noble lord, whose person many men loved, and very few hated. First, he had no knowledge or experience in the martial profession; then his religion, being of that sort of catholics the people rendered odious, by accusing it to be most jesuited, men apprehended would not only produce a greater brand upon the king, of favouring papists and popery, than he had been yet reproached with; (for, though he had some papists entertained in his armies, yet all men trusted by him in superior commands were men of unblemished integrity in the protestant religion; and in all his armies he had but one general officer of the contrary religion, sir Arthur Aston, whom the papists notwithstanding would not acknowledge for a papist;) this gave opportunity and excuse to many persons of quality, and great interest in those counties, (between whom and that lord's family there had been perpetual feuds and animosities,) to lessen their zeal to the king's cause, out of jealousy of the other's religion; and those contestations had been lately improved with some sharpness, by the lord Herbert's carriage towards the lord marquis of Hertford, during the time of his residence there; when, out of vanity to magnify his own power, he had not shewed that due regard to that of the other, which he should have had. And no doubt, if he had been of that mind, it would much more have advanced the king's service, if he

would have contributed his full assistance to another, who more popularly might have borne the title of such a command. BOOK VI. 1643.

But, on the other side, the necessity of disposing those parts, divided from the rest of the kingdom, under the command of some person of honour and interest, was very visible; and the expedition in doing it was as necessary;[f] the parliament being possessed of Gloucester and Bristol, and so having such an influence upon the trade and livelihood of that people, by their absolute command of the Severn, that, except there were extraordinary care of keeping them, they would be quickly lost. Besides that, at the same time, there was discourse, in the houses, "of sending the earl of Pembroke thither," whose estate was very great in those parts, and his reputation equal. The[g] parliament had already such footing[h] in Pembrokeshire, that many of the principal gentlemen had declared for them; and the harbour of Milford-Haven gave their fleet opportunity to give them all supplies and relief. This being the state of those parts, the lord Herbert not only offered, but desired to receive that command; and engaged himself, "not only to secure it from "the opposition and malignity of the other party, "but, before the spring, to raise such a strength of "horse and foot, and to provide such an equipage "to march with, that might reduce Gloucester, and "be then added to the king's army, when he should "be ready to take the field; and all this so much "at his own charge," (for his father, who was well able, would furnish money, as was pretended, upon

[f] necessary;] penal and necessary;

[g] The] Then the

[h] footing] a footing

BOOK VI. 1643. the king's promise to repay him, when he should be restored to his own,) "that he would receive no "part of the king's revenue, or of such money as "his majesty[1] could be able to draw for the supply "of his own more immediate occasions."

This was a very great offer, and such as no man else could so reasonably make. For the marquis of Worcester was generally reputed the greatest monied man of the kingdom; and, probably, might not think it an unthrifty thing, rather to disburse it for the king, who might be able to repay it, than to have it taken from him by the other party; which would be hardly questionable if they prevailed. The lord Herbert himself was a man of more than ordinary affection and reverence to the person of the king, and one, who, he was sure, would neither deceive nor betray him. For his religion, it might work upon himself, but could not disquiet other men. For though he were a papist, he was never like to make others so; and his reputation and interest was very great with many gentlemen of those counties, who were not at all friends to his religion. It was not possible to employ any person of interest and power in those parts, (and there were many objections, from the nature and manners of that people, against a mere stranger,) against whom there would not be some faction and animosity; for the emulations, and dissension between families was general, and notorious; and therefore it would be best to choose such a one, who was like to have a greater faction for him, than against him. And it was to be hoped that the old grudges and preju-

[1] his majesty] he

dices, which had been rather against the house of Worcester, and the popish religion professed there, than against the person of this lord, would have been composed and declined by his fair and gentle carriage towards all men, (as in truth he was of a civil and obliging nature,) and by the public-heartedness of those, who, for the cause, and conscience sake, would, it was hoped, sacrifice all trivial and private contentions to a union that must vindicate the religion, honour, and justice of the kingdom.

Upon these reasons, and these presumptions, the king granted such a commission, as is before mentioned, to the lord Herbert; who, with more expedition than was expected by many [k], or by others believed possible, raised a body of above fifteen hundred foot, and near five hundred horse, very well and sufficiently armed; which increased the merit of the service.

The lord Herbert raises a little army.

The horse he put under the command of his brother, the lord John Somerset, a maiden soldier too; and the foot under colonel Lawly, whom he made his major general, a bold and a sprightly officer. About the middle of February he marched towards Gloucester, with an ill omen at his setting out; for a rabble of the [l] country people being got together, without order, or officer of name, barricadoed a little village in the forest of Deane, called Cover, (through which he was to pass,) and refused to give him entrance; and out of a window killed colonel Lawly, and two officers more, without hurting a common soldier; whereby that body was destitute of any person of experience to command them.

[k] many] any

[l] the] *Not in MS.*

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However the lord Herbert, who was himself seldom with his forces, shortly after placed colonel Brett in that command; who, without any skirmish of importance, marched through the forest of Deane, and fixed a quarter, which contained his whole body, at the Vineyard, the bishop of Gloucester's palace, within less than half a mile of Gloucester. And by that means, there being only a long bridge over the Severn, by which men could come out or go in to Gloucester, he fully blocked up the town on that side, expecting that prince Maurice from Cirencester should take equal care to distress it on the other; which he did to a good degree.

But sir William Waller, with a light party of horse, and dragoons, near two thousand, from the earl of Essex's army, had made a quick march through Wiltshire, (after his taking of Chichester,) and taking, with little loss and trouble, a small garrison of the king's, consisting of about six or seven score, at Malmsbury, before it was fortified, or provided, made a face of looking towards Cirencester; where when he found he was expected, by a sudden night march, in which he was very dexterous and successful, he posted to the river of Severn, six miles west of Gloucester, from whence he had appointed many flat boats to meet him; and in them, in the light day, the guard of the river being either treacherously or sottishly neglected by the lord Herbert's forces, transported his whole body, which, upon the advantage of that pass, might have been resisted by a few [m] men. Hereupon the consternation was so great among the new Welsh soldiers,

[m] a few] a hundred

very few of their officers having ever seen an enemy, that though their works were too good to be entered by horse and dragoons; though the avenues were but narrow, in all which they had cannon planted, and their numbers very near, if not fully, equal to the enemy; upon the advance of sir William Waller upon them, without giving or receiving blow, they fairly sent out to treat; and as kindly delivered up themselves, and their arms, upon the single grant of quarter: a submission so like a stratagem, that the enemy could hardly trust it. Yet, in the end, they made a shift to put near thirteen hundred foot, and three troops of horse, prisoners into Gloucester, the lord Herbert himself being at that time at Oxford, and the lord John Somerset with three or four troops at a safe distance from the rest.

Is surprised by sir William Waller, and routed.

This was the end of that mushroom-army, which grew up and perished so soon, that the loss of it was scarce apprehended at Oxford, because the strength, or rather the number, was not understood. But if the money, which was laid out in raising, arming, and paying that body of men, which never advanced the king's service in the least degree, had been brought into the king's receipt at Oxford, to have been employed to the most advantage, I am persuaded the war might have been ended the next summer. For I have heard the lord Herbert say, "that those preparations, and the other, which by "that defeat were rendered useless, cost above "threescore thousand pounds;" whereof, though much came from the marquis's coffers, yet, no doubt, the general contributions from the catholics made a good part; and very considerable sums were

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received by him of the king's revenue upon wardships, and other ways: for it was a common practice in those times, for men to get into employments upon promises, that they would not do this or that, without which nobody else would undertake that service; and being, upon those terms, received into it, they immediately did the other, because no other man would[n] do the service without it.

Sir Will. Waller takes Hereford and Tewkesbury: both which he presently left.

The fame of this prodigious victory so subdued all those parts, that sir William Waller, with the same spirit of celerity, and attended with the same success, flew to Hereford; and, though[o] a walled town, and replenished with a garrison, had that likewise delivered to him upon the same terms as the other was; and from thence (being with more confidence refused to be admitted into Worcester, than he thought reasonable to require it) passed to Tewkesbury; which he likewise surprised, being newly garrisoned; his motion being so quick, that though prince Maurice attended him with all possible diligence, he could never farther engage him than in light skirmishes; and, having taken this progress, returned safe to Gloucester; and from thence to the earl of Essex's army; having made no other use of his conquests, than the dishonouring so many places, which had so quietly yielded to him; into which (for he fixed no one garrison) the king's forces immediately entered again. So that his majesty's quarters continued the same they were, harassed only, and discountenanced, nothing straitened by this incursion; and the lord Herbert again intended new levies.

[n] would] could [o] and, though] and being

Having now, with as much clearness as I could, remembered the true state of the king's affairs, and the condition of the kingdom, at the end of this year 1642, with which I intend to conclude this sixth book; I shall, before I return to Oxford, to conclude the year, briefly call to remembrance the disconsolate state of Ireland; of which, advantage was always taken against the king, to render him odious to the people, as if he countenanced, at least not sufficiently abhorred, that wicked and unnatural rebellion. And this imputation was with so great art insinuated, that it got credit with many; insomuch as I have heard some, who could make no other excuse for adhering to the parliament, say [p], "they were persuaded that the king favoured those "rebels;" which, they said, "could not be without "some design upon the religion, liberty, and pros-"perity of England." Whereas I can aver truly, upon as good grounds as ever any man spoke the heart of another, that the king always looked upon it, as the most groundless, bloody, and wicked rebellion, that ever possessed the spirits of that people; and was not more grieved at any one circumstance of the domestic distractions [q], than as it hindered him from chastising and taking vengeance upon the other: which from his soul he desired.

The state of Ireland at that time with reference to the difference between the king and the two houses here.

But in this discourse of Ireland, it cannot be expected that I should [r], neither do I intend to mention all the memorable actions, (in which were great [s] instances of God's own detestation of those inhuman rebels, by the signal victories he gave

[p] say] than
[q] distractions] distraction
[r] expected that I should] imagined
[s] great] as great

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against them,) or the [t] other transactions within that kingdom; but shall remember no more of that business, than had immediate reference to, and dependence on, the difference between the king and the two houses of parliament.

It is said before, that when the first visible rupture was declared between them, which was in the business of Hull, (which the king understood to be a direct levying of war against him,) in the protestation made by his majesty, "that he would no "farther treat or concur with them in any acts pro- "posed by them, till he first received reparation or "satisfaction in that particular;" he always excepted what should any way concern Ireland: in which he offered to consent to whatsoever might reasonably conduce to the reducing those rebels; and did, after that, concur in some propositions of that nature. Yet it is certain that, from that time, the two houses were so busy in preparing the war for England, that they did very little prepare for [u] the war of Ireland; save only by some small supplies of money and provisions. The king objected to them, "the employing the monies, raised, by act [x] "of parliament, for the preservation and reduction "of Ireland, with a special clause that the same "should not be diverted to any other use whatso- "ever, in the supporting the unnatural war and re- "bellion against his majesty; particularly one hun- "dred thousand pounds at one time; and that "many soldiers, raised under pretence of being sent "into Ireland, were, contrary to their expectation

[t] the] *Not in MS.*
[u] prepare for] advance
[x] act] acts

" and engagement, forced to serve under the earl of " Essex against the king;" of which he named sir Faithful Fortescue's regiment of horse, and the lord Wharton's and the lord Kerry's regiment of foot. 1643.

To this they answered, " that albeit they had, " upon the urgent occasions of this kingdom, some- " times made use of monies raised and collected for " Ireland; yet that they had in due time repaid it, " and that the other affairs had never suffered by " the loan: and for the men, that it proceeded from " his majesty's own default; for after they had " raised them, with a serious intention to send them " into Ireland, under the command of the lord " Wharton, the king refused to grant a commission " to him to transport them, and so they had been " compelled to use them in their own service here."

The king replied, " that it appeared, they had " diverted that money to other uses than those for " which it was provided; which was manifestly un- " lawful; and that it did not appear they had again " reimbursed it, because very little supply was sent " thither, and very much wanted: and for the sol- " diers, that they first levied them, without his ma- " jesty's leave; which they had always before asked, " for their other levies; and being levied, they de- " sired a commission for the lord Wharton to com- " mand them absolutely, without any dependence " upon the lord lieutenant of Ireland; which had " been never heard of, and which his majesty re- " fused; but offered such a commission as was " granted to other men."

On the other hand, they objected to the king, " the seizing some cart-horses at Chester, provided " for the train of artillery for Ireland; that his

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"forces had taken many clothes and provisions on "the road, which were going to Chester to be trans- "ported thither for the relief of the soldiers; and "that he entertained and countenanced men in his "court, which were favourers or actors in that re- "bellion:" naming the lord viscount Costeloe, and the lord Taffe, which gave great umbrage to those who were well affected, and as great encouragement to the rebels there.

To the first, the king confessed, "he found about "six score horses at Chester, which had long lain "there; and, at his remove from Nottingham, "knowing the other horse and men raised for Ire- "land were then marching with the earl of Essex "against him, he knew not but these likewise might "be so[y] employed, and therefore in his own neces- "sity took them for his own draughts. For the "clothes, which had been taken by his soldiers, "that it proceeded by the default of the parlia- "ment; who, after the war was begun, had sent "those carriages through his quarters, without "sending to his majesty for a safe conduct, or giv- "ing any notice to him of it, till after they were "taken: that it was within two miles of Coventry "(which was then in rebellion) that those clothes "were taken; and that, as soon as he knew they "were designed for Ireland, his majesty had used "the best means he could to recover them; but "that the soldiers, who were almost naked, had di- "vided them for their own supplies; and his ma- "jesty offered to give a safe conduct at all times "for whatsoever should be designed for Ireland."

[y] so] so likewise

The occasion of the other reproach, "for countenancing persons who adhered to the rebels," was this. The lords Dillon (viscount Costeloe) and Taffe had, four months before, passed out of Ireland into England, having never been in consort with the rebels, but so much trusted by them, that they desired, by their hands, to address a petition to the king; humble enough, desiring "only to be heard, "and offering to submit to his majesty's single "judgment." With this petition, and all other instructions, as they pretended, these lords acquainted the lords justices and council of Ireland; who were so well satisfied with the persons employed, that they granted their safe pass, and sent letters by them of testimony. They were no sooner landed in England, but they were apprehended, and sent prisoners to the parliament, and by them committed with all strictness, "as agents employed by the re-"bels of Ireland to the king;" and that circumstance enforced, and spread among the people, with all licentious glosses against the king; who, for that reason, took no notice of their restraint, though from his ministers he received advertisement of the truth of the whole business. After some time was spent in close imprisonment, these lords, by petition, and all other addresses they could make, pressed to be brought to any kind of examination and trial; of which they found no other benefit, than that, upon this importunity, their imprisonment was less close; and, by degrees, under a formal restraint, (which, though more pleasant, was not less costly,) had the liberty of London, and from thence, after four months' restraint, without being formally charged with any crime, or brought to any trial,

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which they often desired, they escaped, and came to York; whither a messenger from the house of commons followed them, and demanded them as prisoners.

Many were of opinion, that they should have been delivered back; foreseeing that the parliament would press the scandal of sheltering them much to the king's disadvantage; and any imputations, "of "countenancing the rebels of Ireland," found more credit, and made deeper impression with the people, than any other discourses of "protecting malignants "and delinquents." On the other side, it was thought unreasonable to remit men to an imprisonment, which appeared to have been unjust, by their not being proceeded against in so long time; especially when their coming to the king would be declared such a crime, that it would be now in their enemies' power to cause them to be punished; which before they could not do; at best, it were to deliver them up to the sergeant of the house of commons, from whence no innocence could redeem them, without paying such vast fees, as would amount to a greater sum than they could probably be supplied with. So that the king, who wished that they had rather gone any whither than where he was, resolved to take no notice of their escape. And so they continued in his quarters, and put themselves into the troops; where they behaved themselves with good courage, and frankly engaged their persons in all dangerous enterprises.

In these jealousies and contests, the king being visibly and confessedly unable to send succours of any kind thither, and the parliament having enough else to do, and, in truth, not taking so much pains

to preserve it, as to impute the loss of it to the king, poor Ireland got very small relief. The earl of Leicester, lord lieutenant of that kingdom, had received his despatch from the king, before he went to Shrewsbury. But when the king thought he would have gone directly to Chester, and so to Ireland, his lordship returned to London; which increased the king's jealousy and prejudice to him; which his former carriage, and a letter writ lately by him from Nottingham to the earl of Northumberland, and by order of parliament printed, had begot to a great degree. Shortly after his return to London, the house of commons demanded "to "see the instructions he had received from the "king;" which, as it was unreasonable in them, so he had received express command from the king, "not to communicate them." However, after he had avoided it as long as he could, and they continued peremptory in the demand, in the end, he produced them to be perused by the committee of both houses. The truth is, the earl's condition was very slippery, and almost impossible to be safely managed by the most dexterous person. 1643.

He was designed to that employment by the king, shortly upon the death of the earl of Strafford, (or rather before; not without some advice from that earl,) with as great circumstances of grace and favour, as could be; and as a person, of whom entirely the king assured himself, being then so ungracious to the parliament, that as there were some sharp glances at him in that time, (which are before remembered,) so nothing preserved him from a public exception, but the interest of the earl of Northumberland, whose sister he had married;

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whom that party was not willing to irreconcile. After the rebellion was broke out in Ireland, and the king had committed the carrying on the war to the houses, he thought it absolutely necessary for his province, to render himself as gracious to that people as was possible; and laboured that with so good effect and industry, that he omitted that care which should have been observed in continuing his interest at court. For the king and queen grew every day less satisfied with him; which sure he did not with wariness enough provide against; though, I believe, he had never unfaithful purposes towards either of them; but did sadly project, by his demeanour and interest in the houses, to provide so well for Ireland, and to go thither in so good a condition, that, being once there, he might be able to serve the king as he should be required.

But one man is rarely able to act both those parts: for his shewing his instructions, he gave a reason, which, if he had been free from all other objections, might appear no ill excuse: "He knew "his instructions were such, that, being perused by "the committee, could by no misconstruction, or "possible perversion, be wrested to the king's dis-"advantage;" as indeed they never were able, nor ever attempted, to fix any reproach from them upon the king. "Whereas, after they were so peremptorily "required, if he should have as peremptorily re-"fused to submit, they would have concluded that "there had been somewhat unjustifiable in them, "and upon that jealousy made no scruple of pub-"lishing the worst reproaches upon his majesty." And it may be, he was not without an imagination, that if by this contest he had drawn the displeasure

of the two houses upon him, as could not be avoided, his misfortune at court might have suffered that contest[z] to have depressed him[a]. And when he left the king between Nottingham and Shrewsbury, his condition was so low at court[b], that a man might have imagined his interest would be best preserved by being within the verge of the parliament's protection. As his return to London was besides the king's expectation, so his stay there was longer than seemed to be intended[c] by his own proposal; for he staid there above two months, till after the battle of Edge-hill, and both parties being fixed in their winter quarters; and then, without waiting again on the king, though Oxford was very few miles out of his way, about the end of November, he went to Chester, with a purpose of transporting himself for Ireland, but without the least appearance of addition of strength, or provisions from the parliament; neither were their ships there ready to transport him. 1643.

About the end of November, four officers of the army in Ireland, sir James Montgomery, sir Hardress Waller, colonel Arthur Hill, and colonel Audly Mervin, having been employed from Ireland to solicit the parliament for succours, came from London to Oxford, and delivered a petition to the king; in which they told him, "that they had addressed "themselves to the parliament for supplies, whose "sense of their miseries, and inclination to redress "them[d], appeared very tender to them; but the "present distempers of the kingdom of England

[z] contest] *omitted in MS.*
[a] depressed him] *MS. adds:* and revenged itself upon the choler of the other.
[b] at court] *Not in MS.*
[c] intended] *Not in MS.*
[d] them] *Not in MS.*

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" were grown so great, that all future passages, by " which comfort and life should be conveyed to that " gasping kingdom, seemed totally to be obstructed; " so that, unless his majesty, out of his singular wis- " dom and fatherly care, applied some speedy re- " medy[e], his loyal and distressed subjects of that " kingdom must inevitably perish. They acknow- " ledged his princely favour and goodness since this " rebellion, so abundantly expressed in a deep sense " and lively resentment of their bleeding condition; " and therefore they besought him, among his other " weighty cares, so to reflect upon the bleeding con- " dition of that perishing kingdom, that timely re- " lief might be afforded. Otherwise his loyal sub- " jects there must yield their fortunes, as a prey; " their lives, a sacrifice; and their religion, a scorn " to the merciless rebels, powerfully assisted from " abroad."

And indeed the condition of the protestants, in that kingdom, was very miserable: for, whilst the distractions of England kept them from receiving succours from thence[f], the rebels had arms, ammunition, money, and commanders, from Rome, Spain, and France; the pope having sent a formal avowed nuncio, to whose jurisdiction the Irish submitted; and the kings of France and Spain having sent great supplies, and their agents, to countenance and foment the rebellion; who gave notable countenance to the assembly and formed council for the rebels, settled at Kilkenny.

The king, who well knew this petition was sent by the permission of those at Westminster, and that

[e] remedy] care

[f] from thence] *Not in MS.*

the agents employed were men of notorious disaffection to him, who looked for some such answer as might improve the envy of the people, used the messengers with all possible grace, and returned them as gracious an answer: "That, from the beginning of that monstrous rebellion, he had had "no greater sorrow, than for the bleeding condition "of that his kingdom. That he had, by all means, "laboured, that timely relief might be afforded to "it, and consented to all propositions, how disadvantageous soever to himself, that had been offered to him to that purpose; and, not only at first "recommended their condition to both his houses "of parliament, and immediately, of his own mere "motion, sent over several commissions, and caused "some proportion of arms and ammunition (which "the petitioners well knew to have been a great "support to the northern parts of that kingdom) "to be conveyed to them out of Scotland, and offered ten thousand volunteers to undertake that war; "but had often pressed, by many several messages, "that sufficient succours might be hastened thither, "and other matters of smaller importance laid by, "which did divert it; and offered, and most really "intended, in his own royal person, to have undergone the danger of that war, for the defence of "his good subjects, and the chastisement of those "perfidious and barbarous rebels; and in his several "expressions of his desires of treaty and peace, he "had declared the miserable present condition and "certain future loss of Ireland, to be one of the "principal motives most earnestly to desire, that "the present distractions of this kingdom might be

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" composed, and that others would concur with him " to the same end."

He told them, " He was well pleased, that his of- " fers, concurrence, actions, and expressions, were " so rightly understood by the petitioners, and those " who had employed them, (notwithstanding the " groundless and horrid aspersions which had been " cast upon him;) but he wished, that, instead of a " mere general complaint, to which his majesty " could make no return but of compassion, they " could have digested, and offered to him any such " desires, by consenting to which, he might convey, " at least in some degree, comfort and life to that " gasping kingdom; preserve his distressed and " loyal subjects of the same from inevitably perish- " ing, and the true protestant religion from being " scorned and trampled on by those merciless rebels. " And, if the petitioners could yet think of any " such, and propose them to his majesty, he assured " them, that by his readiness to consent, and his " thanks to them for the proposal, he would make " it appear to them, that their most pressing per- " sonal sufferings could not make them more desir- " ous of relief, than his care of the true religion, " and of his faithful subjects, and of his duty, which " obliged him, to his power, to protect both, ren- " dered him desirous to afford it to them."

The king being fully informed now, as well by this committee, as from his ministers of state in that kingdom, of the growing power of the rebels in Ireland, and of the weak resistance his good subjects were like to make, whose only hopes depended upon those succours which they presumed the lord

lieutenant would bring over with him, and that he was now going thither without the least addition of strength, or probable assurance that any would be sent after him; his majesty considered likewise, that, besides the damp this naked arrival of the lord lieutenant there must cast upon the minds of all, it would make likewise a great alteration in the conduct of affairs there. For, upon his landing, the commission to the earl of Ormond, of lieutenant general of the army, would be determined; and there had those jealousies and disrespects passed between the earl of Leicester and him, that the earl of Ormond was resolved, no more to continue that command, but immediately to transport himself out of that kingdom; by which the king should lose the service of a person much the most powerful, most able, and most popular within that kingdom [g]; and who had, with wonderful courage and conduct, and almost miraculous success, hitherto restrained the rage and fury of the rebels, and indeed a man so accomplished, that he had either no enemies, or such who were ashamed to profess they were so.

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Upon these considerations, the king thought fit, for some time, till he might farther weigh the whole business, to suspend the earl of Leicester's journey: and therefore sent to him to Chester (where he had lain, in some indisposition of health, above a fortnight; and the ships being not yet come for his transportation) "to attend his majesty at Oxford;" which he did shortly after Christmas, and continued there; the king directing the earl of Ormond (whom about this time he made a marquis) "to carry on

[g] kingdom] province

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"the war as he had done; and, during the absence "of the lord lieutenant, to dispose of all places and "offices in the army which became void." His majesty likewise at this time made[h] an alteration in the civil power; for whereas sir William Parsons and sir John Burlacy had continued lords justices from and before the death of the earl of Strafford, the king finding that sir William Parsons (who was a man of long experience in that kingdom, and confessed abilities, but always of suspected reputation) did him all imaginable disservice, and combined with the parliament in England, removed him[i] from that trust; and, in his room, deputed sir Harry Tichborne, a man of so excellent a fame, that though the parliament was heartily angry at the remove of the other, and knew this would never be brought to serve their turn, they could not fasten any reproach upon the king for this alteration.

Another circumstance must not be forgotten. After the war broke out in England, the parliament had sent over two[k] of their members of the commons (Mr. Raynolds and Mr. Goodwyn) as a committee into Ireland, to reside at Dublin, and had given directions to the lords justices, "that they "should have leave to be present at[l] their consulta- "tions;" which they had; and were no other than spies upon those, who should presume to deliver any opinions there not agreeable to the sense of the houses. When the king made that alteration in the government, he likewise took notice, that strang-

[h] His majesty likewise at this time made] and likewise making

[i] removed him] about this time removed sir Will. Parsons

[k] two] a couple

[l] at] at all

ers were admitted to be present at their debates, which had never been before practised; and therefore required them, "that it might be so no more." Hereupon, the committee, who had carried themselves very insolently and seditiously there, and with notable contempt of the king, and his authority, were, by the lords justices and council, inhibited from being present at the council; and thereupon they quickly left the kingdom, and returned to London; the parliament unreasonably[m] accusing the king of a new breach of privilege, for this disrespect to their members. This was the state of Ireland, the war being that spring prosperously carried on by the marquis of Ormond, and the earl of Leicester still staying at Oxford with the title of lord lieutenant. And so we will return to Oxford and London.

Many days being past since the return of the committee of lords and commons from Oxford, with the king's answer to their propositions, and no reply being made by the houses, or indeed any solemn debate entered thereupon, (for his majesty had every day information of what passed among them, even in their most secret councils,) and, on the contrary, preparations more vigorously intended for the war, than had been before, in sending out strong parties to infest the king's quarters, (for, besides the incursions and progress of sir William Waller, which are before remembered, Mr. Hambden had made some attempts upon the Brill, a garrison of the king's upon the edge of Buckinghamshire, but without effect, and with some considerable loss,) in levying

[m] unreasonably] *MS. adds:* and impudently

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great numbers of men, for the recruiting the earl of Essex's army; and designing new extraordinary ways for the raising of money, and associating several counties of the kingdom, towards the raising new armies: the king, as well to have the conveniency of sending to London, (of which journeys he made good use,) as to quicken and necessitate them to some reply, sent another message to them, putting them in mind of "the proposition he had made "for a cessation of arms;" and desired "if[n] they "approved of a cessation, that the day upon which "they thought fit it should begin, and such parti- "culars, limits, and conditions of it, as were neces- "sary to be understood, and agreed on, before the "cessation itself could actually begin, might be pro- "posed by them. Since," his majesty said, "he "supposed, by the present great preparations of se- "veral forces to march several ways, that, till all "that should be agreed upon, they did not conceive "themselves obliged to an actual cessation; so nei- "ther, till then, did his majesty conceive himself "obliged to it: however, he wished it might be "clearly understood between them, that no such "imputations, as had been formerly, might be laid "upon him, upon occasion of any thing that might "intervene."

The king puts the two houses in mind of his proposition for a cessation of arms.

This message put a necessity upon them, of entering again upon the argument, and gave them, who desired peace and accommodation, an opportunity to press for the debate, which had been craftily laid aside for the despatch of other matters; that party, which was most deeply engaged in the war,

[n] if] that if

and resolved to carry it on, having a notable dexterity in keeping those things from being debated, in which they found their sense would not prevail. 1643. And at this time, the number of those in both houses, who really desired the same peace the king did, was (if they had not been overwitted by them) superior to the other. For, besides that many persons, who from the beginning had always dissented from them, for their ease and conveniency had staid among them, very many were convinced in their understandings, that they had been misled; and discerned, in what a bottomless gulph of misery the kingdom would be plunged, if an immediate composure were not made; and some of those who had been as fierce as any, and given as great countenance to the kindling the fire, either out of conscience that they had done amiss, or fear that the king would prevail by power, or anger that they found other men valued above them; in their present distraction, or their natural inconstancy even in ill, were most solicitous for a treaty. So that, within few days after the receipt of this message, both houses agreed, "that there should be a treaty, "in which so much of the king's propositions as "concerned the magazines, forts, and ships, and the "proposition of both houses for the disbanding the "armies, should be first treated on, and concluded, "before the proceeding to treat upon any of the "other propositions; and that the treaty should be-"gin the fourth of March, or sooner if it might be; "and that, from the beginning, the time should not "exceed twenty days."

Both houses agree there should be a treaty; and they send for a safe conduct.

The persons they made choice of to treat, were the earl of Northumberland, the lord Say, Mr. Pierre-

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point, sir William Armyn, sir John Holland, and Mr. Whitlock, for whose safe conduct they despatched a messenger to his majesty; this resolution being taken but the last day of February. As soon as the request was presented, the king returned a safe conduct for the earl of Northumberland and the four commoners; but refused to admit the lord Say to his presence, upon the same exception he had formerly refused sir John Evelyn at Colebrook; his lordship being personally excepted from pardon by a former proclamation; but signified, "that if "they would employ any other person not within "the same rule, he should as freely come as if he "were in the safe conduct."

The king grants it to all they name but the lord Say.

Whether the lord Say was nominated by those who believed they should be able, upon the refusal of him, (which they could not but foresee,) to break off all overtures of farther treaty; or whether they believed, they had so far prevailed by underhand negociations at Oxford, that he should be admitted, and that he would have been able to persuade the king to yield to what they proposed, or at least to have engaged the king to those who would have yielded to him, I know not; but as it was not so insisted on at Westminster as to break the treaty, so many were of opinion at Oxford, that the king should have admitted him. They said, "he was a "wise man, and could not but know, that it would "not be possible for him to make any impression "upon his majesty's judgment in the propositions "in debate; and therefore, that he would never "have suffered himself to be designed to that nego-"ciation, (which, without doubt, by his interest in "both houses he might have prevented,) if he did

"not purpose to do some signal service to his ma-
"jesty." And indeed many believed, "that if he
"had come, and found the king's goodness inclined
"to pardon and trust him, that he would have done
"the best he could, to redeem his former breaches."
Others were of opinion, "that he was so far from
"being inclined to serve the king, or advance the
"treaty, that they would have sent him[o] as a spy,
"lest others should;" and these were the thoughts both at Oxford and London. But the king, who knew the lord Say as well as any of them, believed, that it was not in his power to do any good, and if it had, that it was not in his will; was resolved not to break his rule, lest such a remission might give advantage against him in the future: and so sent the answer above remembered. Together with this desire of a safe conduct, they sent his majesty word, "that they had likewise consented, that
"there should be a cessation of arms on either side,
"under the restrictions and limitations hereafter
"following.

The two houses send their terms for a cessation.

1. "That all manner of arms, ammunition, vic-
"tuals, money, bullion, and all other commodities,
"passing without such a safe conduct as may war-
"rant their passage, may be stayed and seized on,
"as if no cessation was agreed on.

2. "That all manner of persons, passing without
"such a safe conduct as is mentioned in the article
"next going before, shall be apprehended, and de-
"tained, as if no such cessation were agreed on
"at all.

[o] they would have sent him] he should have been sent

BOOK VI. 1643.

3. "That his majesty's forces in Oxfordshire "should advance no nearer to Windsor than Wheat- "ley, and in Buckinghamshire no nearer to Ayles- "bury than Brill; and that, in Berkshire, the forces "respectively shall not advance nearer the one to "the other, than now they are: and that the par- "liament forces in Oxfordshire shall advance no "nearer to Oxford than Henley, and those in Buck- "inghamshire no nearer to Oxford than Aylesbury: "and that his majesty's forces shall make no new "quarters, above twelve miles from Oxford, any "way; and the parliament forces shall take no new "quarters, above twelve miles from Windsor, any "way.

4. "That no siege shall be begun or continued "against Gloucester; and that his majesty's forces, "now employed in the siege, shall return to Ciren- "cester and Malmsbury, or to Oxford, as shall be "most for their convenience; and the parliament "forces, which are in Gloucestershire, shall remain "in the cities of Gloucester, Bristol, and the castle "and town of Berkley, or retire nearer to Windsor, "as they shall see cause: and that those of Wales, "which are drawn to Gloucester, shall return to "their quarters where they were before they drew "down to Gloucestershire.

5. "That, in case it be pretended on either side, "that the cessation is violated, no act of hostility is "immediately to follow, but first the party com- "plaining is to acquaint the lord general on the "other side, and to allow three days, after notice, "for satisfaction; and in case satisfaction be not "given, or accepted, then five days' notice to be

"given, before hostility begin, and the like to be "observed in the remoter armies, by the command-"ers in chief.

6. "Lastly, that all other forces, in the kingdom "of England, and dominion of Wales, not before "mentioned, shall remain in the same quarters, and "places, as they are at the time of publishing this "cessation, and under the same conditions as are "mentioned in the articles before. And that this "cessation shall not extend, to restrain the setting "forth or employing of any ships, for the defence of "his majesty's dominions."

All which they desired "his majesty would be "pleased to ratify and confirm; and that this cessa-"tion might begin upon the fourth of March next, "or sooner if it might be; and continue until the "five and twentieth of the same month; and in the "mean time to be published on either side; and "that the treaty might likewise commence upon "the same day; and the continuance thereof not to "exceed twenty days."

These propositions were delivered to his majesty on the first of March, which was almost a month after the cessation had been proposed by him, (for his propositions were made on the third of February,) which administered cause of doubt, that the overture was not sincere; since it was hardly possible, that the cessation could begin so soon as the fourth, by which time, though the king should consent to the terms proposed, upon sight, his answer could very hardly be returned to them. But the articles themselves were such as occasioned much debate, and difference of opinion, among those who desired the same thing. The king, after the exa-

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mination of them with his privy-council, and at a council of war, made a committee out of each, to consider the inconvenience his consent to them might produce to his party, if that cessation and treaty did not produce a peace; and the inequality in them, if the overture passed from an equal enemy according to the rules of war. Some were of opinion, "that the cessation should be consented to by "the king, upon the articles proposed, though they "should be thought unequal, not only because it "would be an act of great grace and compassion to "the people, to give them some respite, and taste "of peace, and the not consenting to it (the reason "not being so easy to be understood) would be as "impopular and ungracious; but that, they be-"lieved, it would at least cast the people into such "a slumber, that much of their fury and madness "would be abated; and that they would not be "easily induced to part with the ease they felt, and "would look upon that party as an enemy, that "robbed them of it; that it would give an oppor-"tunity of charitable intercourse, and revive that "freedom of conversation, which, of itself, upon so "great advantage of reason, as they believed the "king's cause gave, would rectify the understanding "of many who were misled; but especially, that it "would not only hinder the recruit of the earl of "Essex's army, (for that no man would be so mad "to declare themselves against the king, when they "saw a cessation, in order to restoring the king to "his rights,) but would lessen the forces he had al-"ready; in that the army consisted most of men "engaged by the pay, not affection to the cause; "who, upon such a remission of duty as would ne-

" cessarily attend a cessation, would abandon a party " which they foresaw, upon a peace, must be con- " demned [p], though it might be secure: and where- " as all overtures of a treaty hitherto had advanced " their levies upon pretence of being in a posture " not to be contemned, they believed, a real cessa- " tion would render those levies impossible."

Others thought " any cessation disadvantageous " enough to the king; and therefore, that the " terms, upon which it was to be made, were to be " precisely looked to: that the articles proposed " would only produce a suspension of present acts " of hostility and blood among the soldiers; but not " give the least taste of peace, or admit the least " benefit to the people; for that all intercourse and " conversation was inhibited, insomuch as no person " of the king's party, though no soldier, had liberty " to visit his wife, or family, out of the king's quar- " ters, during this cessation; and the hindering re- " cruits could only prejudice the king, not at all the " earl of Essex, who had at present a greater army " than ever before; and the city of London was " such a magazine of men, as could supply him " upon very small warning. Besides, though the " state of the king's army and quarters about Ox- " ford was such as might receive some advantage " by a cessation; yet, in the west, it was hoped his " affairs were in the bud; and the earl of Newcastle " was so much master in the north, that if a peace " ensued not, (which wise men did not believe was " seriously intended on the parliament's part, by " reason the propositions to be treated on were so

[p] condemned] infamous

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"unreasonable, and impossible to be consented to,) "such a cessation would hinder the motion and "progress of the earl's good fortune, and give time "to the lord Fairfax, who was at present very low, "to put himself into such a posture as might give "new trouble." And it is certain the northern forces had then great dread of this cessation.

To these considerations was added another of greater moment, and which could be less answered[p] by any access of benefit and[q] advantage on the king's party. Hitherto the parliament had raised their vast sums of money, for the support of their army, (which could only be supported by constant great pay,) and for[r] the discharge of their other immense expenses, incident to such a rebellion, from the city of London, and principally from their friends, not daring so rigidly to execute their ordinances generally, but contented themselves with some severe judgments upon particular men, whom they had branded with some extraordinary mark of malignancy, out of London, save only that they gleaned among their own zealots upon voluntary collections, and plundered by their army, which brought no supply to their common stock: and of[s] what they imposed upon cities and towns, wherein[t] they had garrisons, (in which they had been likewise very tender,) they had received very little; not venturing yet, by any general tax and imposition upon the people, to inflame them, and inform them how[u] they meant to invade their liberty and their

[p] answered] answered and poized
[q] and] or
[r] for] *Not in MS.*
[s] of] *Not in MS.*
[t] wherein] in which
[u] how] how far

property, with the jealousy whereof they had blown them up to all those swellings and seditious humours against the king; and apprehending, that if they should attempt that, any encouragement of strength from any of the king's armies would make the whole kingdom rise against them. BOOK VI. 1643.

The houses pass an ordinance for a weekly assessment on the whole kingdom.

But now, after they had agreed to a treaty, and framed even articles for a cessation, they passed an ordinance for a weekly assessment throughout the kingdom, towards the support of the war; by which was imposed upon the city of London the weekly sum of ten thousand pounds, and upon the whole kingdom no less than a weekly payment of thirty-three thousand five hundred and eighteen pounds, amounting in the year to one million seven hundred forty-two thousand nine hundred thirty-six pounds; a prodigious sum for a people to bear, who, before this war, thought the payment of two subsidies in a year, which, in the best times, never amounted to above two hundred thousand pounds, and never in our age to above a hundred and fifty, an insupportable burden upon the kingdom: which[x] indeed had scarce borne the same, under all the kings that ever reigned.

For the speedy and exact collection whereof, they appointed, by the same ordinance, commissioners in each county, such as were sufficiently inclined to, and engaged in their designs. To this they added other ordinances, for exacting the twentieth part, and other payments, throughout the kingdom; which had been only undergone (and that not generally) in London; and, above all, for the sequestering and seizing of the estates of all who adhered to the

[x] which] and

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king. "Now if a cessation were consented to by "the king, on the articles proposed, and thereby "the king's forces locked up within the several "limits and narrow bounds, in which they were "contained, these ordinances might be executed "throughout all their quarters; and thereby vast "sums be raised. Their great association of Nor- "folk, Suffolk, Cambridge, Huntingdon, Bedford, "and Essex, (in neither of which the king had any "visible party, or one fixed quarter,) upon which, "the apprehension of the earl of Newcastle's ad- "vance upon them, kept them from notable pres- "sures, would by this means yield them a great "supply of men and money. In Somersetshire and "Devonshire, whilst sir Ralph Hopton might here- "by be kept from advancing, they might raise what "they would, and might dispose of the stocks and "personal estates of those, whom they had, and "would declare to be malignant; and so this cessa- "tion, besides the damage and prejudice to the "loyal party, would probably fill the rebels' coffers, "the emptiness whereof was the most, if not only, "probable way and means to determine the war."

These considerations made a deep impression upon those, who believed the treaty was not like to produce a peace; the number of which was increased by a new resolution, at this time entered upon, and vigorously prosecuted, "to fortify the city "of London, and to draw a line about it;" which was executed with marvellous expedition; which, many believed, would not have been then done, both for the charge and jealousy of it, if it had not been resolved it should not yet return to the king's obedience. And many persons of honour and qua-

The city of London fortified.

lity about the king, who had given great life to his affairs, were so startled with the sense of it, that they addressed themselves together to his majesty, and besought him, "that they might not lose that "now, by an unequal cessation, which had been "preserved for them, during the licence of hostility; "and that his and their enemies might not be that "way enabled to destroy them, which yet they "durst not attempt to do by any other[y]." The king hereupon, after solemn debates in council, the chief officers of his army being present, resolved to make such alterations in the articles, as might make the terms a little more equal, at least prevent so intolerable disadvantages.

The king's proposals of alterations in the two houses' articles of cessation.

1. "To the first article as it was proposed by "them, his majesty fully and absolutely consented.

2. "To the second likewise fully, as far as it "concerned all officers and soldiers of the army; "but he proposed, that all other his subjects, of "what quality or condition soever, might, during "the cessation, pass to and from the cities of Ox-"ford or London, or any other parts of his majesty's "dominions, without any search, stay, or imprison-"ment of their persons, or seizure and detention of "their goods or estates: and that all manner of "trade and commerce might be open and free be-"tween all his subjects, except between the officers "and soldiers of either army, or for arms, ammuni-"tion, money, bullion, or victuals for the use of "either army, without a pass, or safe conduct;" which, his majesty told them, "would be a good "beginning to renew the trade and correspondence

[y] by any other] *Not in MS.*

BOOK VI. 1643.

" of the kingdom, and whereby his subjects might " be restored to that liberty and freedom they were " born to, and had so happily enjoyed till these " miserable distractions; and which, even during " this war, his majesty had, to his utmost, laboured " to preserve, opening the way, by most strict pro- " clamations, to the passage of all commodities, " even to the city of London itself."

3, 4, 5, 6. To these the king likewise consented, with two provisions: first, " that such ships, as " were necessary to be set forth, should be com- " manded by such persons as his majesty should ap- " prove of. Secondly, that, during the cessation, " none of his subjects should be imprisoned other- " wise than according to the known laws of the " land, and that there should be no plundering, or " violence offered to any of his subjects." The first of these was inserted, (without purpose of insisting on it,) lest by the king's consent to the article, in the terms it was proposed, he might be thought to consent in any degree to their usurpation of the naval authority. And the second was, to prevent the execution of the ordinances before mentioned.

And his majesty told them, " he hoped, these " small alterations would sufficiently manifest, how " solicitous he was for the good of his people, for " whose liberties he should insist, when, in matters " merely concerning himself, he might descend to " easier conditions; and how desirous he was, that, " in this unnatural contention, no more blood of his " subjects might be spilt, upon which he looked " with much grief, compassion, and tenderness of " heart, even on the blood [z] of those, who had lifted

[z] on the blood] *Not in MS.*

"up their hands against him. And therefore he "doubted not, but both houses would consent to "them. However, if any scruples should be made, "he was willing that the commissioners for the "treaty might nevertheless immediately come to "him, and so all matters concerning the cessation "might be there settled between them." 1643.

After this answer returned by the king, many days passed without any return to him; and in the mean time another address was made to his majesty, upon which the great managers at London had set their hearts, more than upon the treaty; and for which indeed they deferred their treaty. They had still a great dependence and confidence upon their brethren of Scotland, and yet that people moved very slowly; and, since the earl of Essex had been settled in his winter quarters, there had been high quarrels between the English and Scotch officers, insomuch as, upon some reproachful words which had been cast out, many swords were one day drawn in Westminster-hall, when the houses were sitting, between them; and some[a] blood drawn, which (though the houses industriously laboured to compose it[b] with declarations "of their "joint value and respect of that nation with their "own, and that their deserts could only distinguish "them") gave so great umbrage, that many of the Scots, some of eminent command, quitted the service; and it was hoped it would have broke any farther national combination in mischief.

But the general inclination to rebellion mastered those particular considerations and disobligations;

[a] some] a little

[b] it] *Not in MS.*

BOOK VI. 1643.

and, about the end of February, to facilitate the king's consent to the grand proposition for the extirpation of episcopacy, (which the two houses had been, by the arts before mentioned, wrought to make; when, in truth, there were very few of themselves desired it; as, when it passed the house of peers, there were but five lords present,) there arrived at Oxford the earl of Lowden, lord chancellor of Scotland, and Mr. Alexander Henderson, a man of equal fame in the distractions that arose in that kingdom: the former came as a commissioner from the lords of the secret council of that kingdom, or, as they then thought fit to call themselves, "the "conservators of the peace between the two king-"doms;" and desired to pass as a mediator in the differences between the king and the two houses, and that the king would give them leave upon the matter to be umpires between them. The other, Mr. Henderson, had a special employment from the assembly of the kirk of Scotland, to present a petition from that body to the king; the which, because it was then thought of a very strange nature and dialect, and because I shall always report the acts of that nation (as far as I am obliged to mention them) in their own words, I think very convenient to insert in this place.

But it will be first necessary, for the better understanding one angry clause in it, to remember, that, when the earl of Newcastle marched into Yorkshire, upon occasion of some aspersions published against him by the lord Fairfax, "that his "army consisted only of papists, and that his de-"sign was to extirpate the protestant religion," the earl set forth a declaration of the reasons of his

marching into that country, which was, "upon the "desire of the principal gentlemen, to rescue and "protect them from the tyranny of the parliament;" and then, taking notice of "the scandalous imputa- "tions upon him in point of religion," after he had vindicated himself from the least suspicion of inclination to popery, he confessed "he had granted "commissions to many papists, which, as he knew, "was, in this case, agreeable to the laws of the king- "dom, so he believed it very agreeable to the pre- "sent policy; and that the quarrel between the "king and the two houses being not grounded upon "any matter of religion, the rebels professing them- "selves to be of the same of which his majesty was "clearly known to be, and the papists generally at "this time appearing very loyal to him, which too "many protestants were not, he thought their assist- "ance might very fitly be made use of, to suppress "the rebellion of the other." And from thence these zealous Scots concluded, that he preferred the papists, in point of loyalty, before the protestants; which was a calumny of so public a concernment, that they could not be silent in. Their petition follows in these words. BOOK VI. 1643.

To the king's[c] most excellent majesty.

The humble petition of the commissioners of the general assembly of the kirk of Scotland met at Edinburgh, Jan. 4, 164$\frac{2}{3}$.

"Our silence, and ceasing to present before your "majesty our humble thoughts and desires, at this The petition of the general as-

[c] To the king's, &c.] *This petition is in the handwriting of lord Clarendon's amanuensis.*

BOOK VI.

1643.

sembly of the kirk of Scotland presented to the king by Mr. Henderson, signed Jan. 4, 1643.

"time of common danger to religion, to your ma-
"jesty's sacred person, your crown, and posterity,
"and to all your majesty's dominions, were impiety
"against God, unthankfulness and disloyalty against
"your majesty, and indirect approbation and hard-
"ening of the adversaries of truth and peace in their
"wicked ways, and cruelty against our brethren,
"lying in such depths of affliction and anguish of
"spirit; any one of which crimes were, in us above
"all others, unexcusable, and would prove us most
"unworthy of the trust committed unto us. The
"flame of this common combustion hath almost de-
"voured Ireland, is now wasting the kingdom of
"England, and we cannot tell how soon it shall en-
"ter upon ourselves, and set this your majesty's
"most ancient and native kingdom on fire. If in
"this woful case, and lamentable condition of your
"majesty's dominions, all others should be silent, it
"behoveth us to speak: and if our tongues and
"pens should cease, our consciences within us would
"cry out, and the stones in the streets would an-
"swer us.

"Our great grief, and apprehension of danger, is
"not a little increased, partly by the insolence and
"presumption of papists, and others disaffected to
"the reformation of religion, who, although for their
"number and power they be not considerable among
"us, yet, through the success of the popish party in
"Ireland, and the hopes they conceive of the pre-
"vailing power of the popish armies and the prelati-
"cal faction in England, they have of late taken
"spirit, and begun to speak big words against the
"reformation of religion, and the work of God in
"this land; and partly, and more principally, that a

" chief praise of the protestant religion (and thereby
" our not vain, but just gloriation) is, by the public
" declaration of the earl of Newcastle, general of
" your majesty's forces for the northern parts, and
" nearest unto us, transferred unto papists; who, al-
" though they be sworn enemies unto kings, and be
" as infamous for their treasons and conspiracies
" against princes and rulers, as for their known
" idolatry and spiritual tyranny, yet are they openly
" declared to be not only good subjects, or better
" subjects, but far better subjects than protestants:
" which is a new and foul disparagement of the re-
" formed religion, a notable injury to your majesty
" in your honour, a sensible reflection upon the whole
" body of this kingdom, which is impatient that any
" subjects should be more loyal than they; but ab-
" horreth, and extremely disdaineth, that papists,
" who refuse to take the oath of allegiance, should
" be compared with them in allegiance and fidelity;
" and which (being a strange doctrine from the
" mouth or pen of professed protestants) will suffer
" a hard construction from all the reformed kirks.

" We therefore, your majesty's most humble and
" loving subjects, upon these and the like considera-
" tions, do humbly entreat, that your majesty may
" be pleased, in your princely wisdom, first to con-
" sider, that the intentions of papists, directed by the
" principles of their profession, are no other than
" they have been from the beginning, even to build
" their Babel, and to set up their execrable idolatry
" and antichristian tyranny, in all your majesty's do-
" minions; to change the face of your two kingdoms
" of Scotland and England into the similitude of
" miserable Ireland; which is more bitter to the

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"people of God, your majesty's good subjects, to "think upon, than death; and whatsoever their "present pretences be, for the defence of your ma- "jesty's person and authority, yet, in the end, by "their arms and power, with a displayed banner, to "bring that to pass against your royal person and "posterity, which the fifth of November, never to be "forgotten, was not able by their subtile and under- "mining treason to produce; or, which will be their "greatest mercy, to reduce your majesty, and your "kingdoms, to the base and unnatural slavery of "their monarch, the pope: and next, that your ma- "jesty, upon this undeniable evidence, may timously[d] "and speedily apply your royal authority, for dis- "banding their forces, suppressing their power, and "disappointing their bloody and merciless projects.

"And for this end, we are, with greater earnest- "ness than before, constrained to fall down again "before your majesty, and, in all humility to renew "the supplication of the late general assembly, and "our own former petition in their name, for unity of "religion, and uniformity of church-government in "all your majesty's kingdoms, and, to this effect, for "a meeting of some divines to be holden in Eng- "land, unto which, according to the desire of your "majesty's parliament, some commissioners may be "sent from this kirk; that, in all points to be pro- "posed[e] and debated, there may be the greater con- "sent and harmony. We take the boldness to be "the more instant in this our humble desire, because "it concerneth the Lord Jesus Christ so much in "his glory, your majesty in your honour, the kirk

[d] timously] timely

[e] proposed] propounded

" of England (which we ought to tender as our own " bowels, and whose reformation is more dear unto " us than our lives) in her happiness, and the kirk " of Scotland in her purity and peace; former ex- " perience and daily sense teaching us, that, without " the reformation of the kirk of England, there is no " hope or possibility of the continuance of reforma- " tion here.

" The Lord of heaven and earth, whose vicegerent " your majesty is, calleth for this great work of re- " formation at your hands; and the present commo- " tions and troubles of your majesty's dominions are " either a preparation, in the mercy of God, for this " blessed reformation and unity of religion, (which " is the desire, prayers,[f] and expectation of all your " majesty's good subjects in this kingdom,) or, which " they tremble to think upon, and earnestly deprecate, " are (in the justice of God, for the abuse of the " gospel, the tolerating of idolatry and superstition, " against so clear a light, and not acknowledging the " day of visitation) the beginning of such a doleful " desolation, as no policy or power of man shall be " able to prevent, and as shall make your majesty's " kingdoms, within a short time, as miserable as " they may be happy by a reformation of religion. " God forbid that, whilst the houses of parliament " do profess their desire of the reformation of reli- " gion in a peaceable and parliamentary way, and " pass their bills for that end in the particulars; that " your majesty, the nurse-father of the kirk of Christ, " to whose care the custody and vindication of reli- " gion doth principally belong, should[g], to the pro-

[f] prayers,] *Not in MS.*

[g] should] shall

BOOK VI. 1643.

" voking of the anger of God, the stopping of the in-
" fluence of so many blessings from Heaven, and the
" grieving of the hearts of all the godly, frustrate
" our expectation, make our hopes ashamed, and
" hazard the loss of the hearts of all your good sub-
" jects; which, next unto the truth and unity of re-
" ligion, and the safety of your kingdoms, are willing
" to hazard their lives, and spend their blood, for
" your majesty's honour and happiness.

" We are not ignorant, that the work is great, the
" difficulties and impediments many; and that there
" be both mountains and lions in the way; the
" strongest let, till it be taken out of the way, is the
" mountain of prelacy: and no wonder, if your ma-
" jesty consider, how many papists, and popishly
" affected, have, for a long time, found peace and
" ease under the shadow thereof; how many of
" the prelatical faction have thereby their life and
" being; how many profane and worldly men do
" fear the yoke of Christ, and are unwilling to sub-
" mit themselves to the obedience of the gospel;
" how many there be, whose eyes are dazzled with
" the external glory and pomp of the kirk; whose
" minds are miscarried with a conceit of the govern-
" ing of the kirk by the rules of human policy; and
" whose hearts are affrighted with the apprehensions
" of the dangerous consequences, which may ensue
" upon alterations. But when your majesty, in
" your princely and religious wisdom, shall remem-
" ber, from the records of former times, how against
" the gates of hell, the force and fraud of wicked
" and worldly men, and all panic fears of danger, the
" Christian religion was first planted; and the Chris-
" tian kirk thereafter reformed: and, from the con-

" dition of the present times, how many, from the
" experience of the tyranny of the prelates, are afraid
" to discover themselves, lest they be revenged upon
" them hereafter, (whereas prelacy being removed,
" they would openly profess what they are, and join
" with others in the way of reformation,) all ob-
" stacles and difficulties shall be but matter of the
" manifestation of the power of God, the principal
" worker; and means of the greater glory to your
" majesty, the prime instrument.

" The intermixture of the government of prelates
" with the civil state, mentioned in your majesty's
" answer to our former petition, being taken away,
" and the right government by assemblies, which is
" to be seen in all the reformed kirks, and wherein
" the agreement will be easy, being settled; the
" kirk and religion will be more pure, and free
" from[h] mixture, and the civil government more
" sound and firm. That government of the kirk
" must suit best with the civil state, and be most
" useful for kings and kingdoms, which is best war-
" ranted by God, by whom kings do reign, and king-
" doms are established. Nor can a reformation be
" expected in the common and ordinary way, ex-
" pressed also in your majesty's answer. The wisest
" and most religious princes have found it impossible,
" and implying a repugnancy, since the persons to
" be reformed, and reformers, must be diverse; and
" the way of reformation must be different from the
" corrupt way, by which defection of workmen, and
" corruption in doctrine, worship, and government,
" have entered into the kirk. Suffer us therefore,
" dread sovereign, to renew our petitions for this

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[h] from] of

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" unity of religion, and uniformity of kirk-govern-
" ment, and for a meeting of some divines of both
" kingdoms, who may prepare matters for your ma-
" jesty's view, and for the examination and approba-
" tion of more full assemblies. The national as-
" sembly of this kirk, from which we have our com-
" mission, did promise, in their thanksgiving for the
" many favours expressed in your majesty's letter,
" their best endeavour to keep the people under
" their charge in unity and peace, and in loyalty and
" obedience to your majesty, and your laws; which,
" we confess, is a duty well beseeming the preachers
" of the gospel.

" But we cannot conceal how much both pastors
" and people are grieved and disquieted with the late
" reports of the success, boldness, and strength of
" popish forces in Ireland and England; and how
" much danger, from the power of so malicious and
" bloody enemies, is apprehended to the religion and
" peace of this kirk and kingdom, conceived by them
" to be the spring, whence have issued all their cala-
" mities and miseries. Which we humbly remon-
" strate to your majesty as a necessity requiring a
" general assembly, and do earnestly supplicate for
" the presence and assistance of your majesty's com-
" missioner[i], and the day to be appointed; that, by
" universal consent of the whole kirk, the best course
" may be taken for the preservation of religion, and
" for the averting of the great wrath, which they
" conceive to be imminent to this kingdom. If it
" shall please the Lord, in whose hand is the heart
" of the king, as the rivers of waters, to turn it

[i] commissioner] commissioners

" whithersoever he will, to incline your majesty's
" heart to this through reformation; no more to
" tolerate the mass, or any part of Romish superstition,
" tion, or tyranny; and to command that all good
" means be used for the conversion of your princely
" consort, the queen's majesty, (which is also the
" humble desire of this whole kirk and kingdom,)
" your joint comforts shall be multiplied above the
" days of your affliction, to your incredible joy;
" your glory shall shine in brightness, above all your
" royal progenitors, to the admiration of the world,
" and the terror of your enemies: and your kingdoms
" doms so far abound in righteousness, peace, and
" prosperity, above all that have [k] been in former
" generations, that they shall say, *It is good for us,*
" *that we have been afflicted.*"

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This petition was not stranger in itself, than in the circumstances that attended it; for it was no sooner [l] presented to the king, (if not before,)[m] than it was sent to London, and printed, and communicated with extraordinary industry to the people; that they might see how far the Scottish nation would be engaged for the destruction of the church; and the messenger who presented it, Mr. Henderson, confessed to his majesty, that he had three or four letters to the most active and seditious preachers about London, from men of the same spirit in Scotland. Upon this provocation, the king might have very reasonably proceeded against Mr. Henderson, who was neither included in his safe conduct, (as the lord Lowden and the rest of the commissioners were,) nor had any authority from the lords of the

[k] have] hath

[l] no sooner] no sooner (if so soon)

[m] (if not before,) *Not in MS.*

BOOK VI. 1643.

council of that kingdom, (who were qualified with large powers,) to countenance his employment; being sent only from the commissioners of the general assembly, (who were not authorized by their own constitutions, to make any such declaration,) and there being then no assembly sitting; which itself, with all their new privileges, could not, with any colour of reason, or authority, have transacted such an instrument. However the king, who well knew the interest and influence the clergy had upon the people of that kingdom; and that, whilst they pretended to remove them from all secular employment, they were the principal instruments and engines, by which the whole nation was wrought to sedition; resolved, not only to use the person of Mr. Henderson very graciously, and to protect him from those affronts, which he might naturally expect in a university, (especially, he [n] having used some grave and learned doctors with great insolence, who went civilly to him to be informed, what arguments had prevailed with him, to be so professed an enemy to the church of England, and to give him some information in the argument; with whom he superciliously refused to hold any discourse,) but to return an answer with all possible candour to the petition itself; and so, before he entered upon the other address, made by the lord Lowden and the rest, he returned (after very solemn debates in council, where the earl of Lanerick the secretary for Scotland, and other lords of Scotland, who were of the privy-council, were present, and fully concurred, with many expressions of their detestation of the

[n] he] *Not in MS.*

manners of their countrymen, yet with assured confidence that they would not be corrupted to any act of hostility) to Mr. Henderson, and, with all expedition, by other hands into Scotland, this answer; which likewise I think fit to insert in the very words, that posterity may know how tender and provident the king always was, to prevent any misunderstanding of him and his actions with that people; and consequently any commotions in that kingdom; which was the only thing, he feared, might contribute to, and continue, the distractions in this. BOOK VI. 1643.

His majesty's answer[o] *to the*[p] *late petition presented unto him by the hands of Mr. Alexander Henderson, from the commissioners of the general assembly of the church of Scotland.*

His majesty's answer to the petition March 20, 1642.

"We received lately a petition from you, by the "hands of Mr. Alexander Henderson, to the which "we intended to have given an answer, as soon as "we had transacted the business with the other "commissioners, addressed to us from the conserva- "tors of the treaty of that our kingdom. But find- "ing the same to be published in print, and to be "dispersed throughout our kingdom, to the great "danger of scandaling of our well affected subjects; "who may interpret the bitterness and sharpness of "some expressions, not to be so agreeable to that "regard and reverence, which is due to our person, "and the matter of the petition[q] itself to be re- "proachful to the honour and constitution of this

[o] *His majesty's answer*, &c.] *This answer is in the handwriting of lord Clarendon's amanuensis.*

[p] *the*] *a*

[q] of the petition] *Not in MS.*

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"kingdom: we have been compelled, the more "strictly to examine, as well the authority of the "petitioners, as the matter of the petition itself, "and to publish our opinion of both, that our sub- "jects of both kingdoms may see how equally just, "and sensible, we are of the laws and honour of "both our kingdoms.

"And first, upon perusal of the petition, we re- "quired to see the commission, by which the mes- "senger who brought the petition, or the persons "who sent him, are qualified to intermeddle in "affairs so foreign to their jurisdiction, and of so "great concernment to this our kingdom of Eng- "land. Upon examination whereof, and in defence "of the laws and government of this our kingdom, "which we are trusted and sworn to defend, we "must profess that the petitioners, or the general "assembly of our church of Scotland, have not the "least authority, or power, to intermeddle or inter- "pose in the affairs of this kingdom, or church; "which are settled and established by the proper "laws of this land, and, till they be altered by the "same competent power, cannot be inveighed against "without a due sense of us, and this nation; much "less can they present any advice or declaration to "our houses of parliament against the same; or, to "that purpose, send any letters, as they have now "done, to any ministers of our church here; who, "by the laws of this land, cannot correspond against "the same."

"Therefore, we do believe that the petitioners, "when they shall consider how unwarranted it is by "the laws of that kingdom, and how contrary it is "to the laws of this, to the professions they have

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" made to each other, and how unbecoming in itself, " for them to require the ancient, happy, and esta- " blished government of the church of England to " be altered, and conformed to the laws and consti- " tutions of another church, will find themselves " misled by the information of some persons[r] here, " who would willingly engage the petitioners to fo- " ment a difference and division between the two " kingdoms, which we have, with so much care and " industry, endeavoured to prevent; not having la- " boured more to quench the combustion in this " kingdom, than we have to hinder the like from ei- " ther devouring Ireland, or entering into Scotland; " which, if all others will equally labour, will un- " doubtedly be avoided. But we cannot so easily " pass over the mention of Ireland, being moved to " it by the scandalous aspersions, that have been " often cast upon us, upon that subject, and the use " that hath been made of the woful distractions of " that kingdom, as of a seminary of fears and jea- " lousies, to beget the like distractions in this; " which[s] lest they may have farther influence, we " are the more willing to make our innocence ap- " pear in that particular.

" When first that horrid rebellion begun[t], we were " in our kingdom of Scotland; and the sense we had " then of it, the expressions we made concerning it, " the commissions, together with some other assist- " ance, we sent immediately into that kingdom, and " the instant recommendation we made of it to both " our houses of parliament in England, are known " to all persons of quality there and then about us.

[r] persons] factious persons
[s] which] and, which
[t] begun] began

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"After our return into England, our ready concurring to all the desires of both houses, that might most speedily repress that rebellion, by passing the bill of pressing, and in it a clause, which quitted a right challenged by all, and enjoyed by many of our predecessors, by parting with our rights in the lands escheated to us by that rebellion, for the encouragement of adventurers; by emptying our magazines of arms and ammunition for that service, (which we have since needed for our necessary defence and preservation,) by consenting to all bills for the raising of money for the same, though containing unusual clauses, which trusted both houses without us with the manner of disposing it: our often pressing both houses, not to neglect that kingdom, by being diverted by considerations and disputes less concerning both kingdoms: our offer of raising ten thousand volunteers to be sent thither; and our several offers to engage our own royal person, in the suppression of that horrid rebellion, are no less known to all this nation, than our perpetual earnestness, by our foreign ministers, to keep all manner of supplies from being transported for the relief of the rebels, is known to several neighbouring princes; which if all good subjects will consider, and withal how many of the men, and how much of the money raised for that end, and how much time, care, and industry, have been diverted from that employment, and employed in this unnatural war against us, (the true cause of the present miseries[u], and want, which our British armies there do now en-

[u] miseries] misery

" dure,) they will soon free us from all those impu-
" tations, so scandalously and groundlessly laid upon
" us; and impute the continuance of the combus-
" tion of that miserable kingdom, the danger it may
" bring upon our kingdoms of England and Scot-
" land, and the beginning of this doleful desolation,
" to those who are truly guilty of it.

" For unity in religion, which is desired, we can-
" not but answer, that we much apprehend, lest the
" papists may make some advantage of that expres-
" sion, by continuing that scandal with more authority,
" which they have ever heretofore used to cast upon
" the reformation, by interpreting all the differences
" in ceremony, government, or indifferent opinions
" between several protestant churches, to be diffe-
" rences in religion; and lest our good subjects of
" England, who have ever esteemed themselves of
" the same religion with you, should suspect them-
" selves to be esteemed by you to be of a contrary;
" and that the religion which they and their ances-
" tors have held, ever since the blessed reformation,
" and in, and for which, they are resolved to die, is
" taxed, and branded of falsehood, or insufficiency,
" by such a desire.

" For uniformity in church-government, we con-
" ceived the answer formerly given by us (at Bridge-
" north, 13th October 1642) to the former petition
" in this argument, would have satisfied the peti-
" tioners; and is so full, that we can add little to it;
" viz. that the government here established by the
" laws hath so near a relation and intermixture
" with the civil state, (which may be unknown to
" the petitioners,) that till a composed, digested
" form be presented to us, upon a free debate of

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"both houses in a parliamentary way, whereby the "consent and approbation of this whole kingdom "may be had, and we and all our subjects may dis- "cern, what is to be left in[x], or brought in, as well "as what is to be taken away; we know not how to "consent to any alteration, otherwise than to such "an act for the ease of tender consciences in the "matter of ceremonies, as we have often offered; "and that this, and any thing else that may concern "the peace of the church, and the advancement of "God's true religion, may be soberly discussed, and "happily effected, we have formerly offered, and "are still willing, that debates of that nature may "be entered into by a synod of godly and learned "divines, to be regularly chosen according to the "laws and customs of this kingdom: to which we "shall be willing that some learned divines of our "church of Scotland may be likewise sent, to be "present, and offer, and debate their reasons. With "this answer the petitioners had great reason to ac- "quiesce, without enlarging the matter of their for- "mer petition only with bitter expressions against "the established government and laws of their "neighbour nation, (as if it were contrary to the "word of God,) with whom they have so lately en- "tered into a strict amity and friendship.

"But we cannot enough wonder, that the peti- "tioners should interpose themselves, not only as fit "directors and judges between us, and our two "houses of parliament, in business so wholly con- "cerning the peace and government of this our king- "dom; and in a matter so absolutely intrusted to

[x] in] *Not in MS.*

" us, as what new laws to consent, or not to consent
" to; but should assume, and publish, that the de-
" sire of reformation in this kingdom is in a peace-
" able and parliamentary way; when all the world
" may know, that the proceedings here have been,
" and are, not only contrary to all the rules and
" precedents of former parliaments, but destructive
" to the freedom, privilege, and dignity of parlia-
" ments themselves: that we were first driven by
" tumults, for the safety of our life, from our cities
" of London and Westminster; and have been since
" pursued, fought withal, and are now kept from
" thence by an army, raised and paid, as is pre-
" tended, by the two houses, which consist not of
" the fourth part of the number they ought to do;
" the rest being either driven from thence by the
" same violence, or expelled, or imprisoned, for not
" consenting to the treasons and unheard of inso-
" lencies practised against us. And if the petition-
" ers could believe these proceedings to be in a
" peaceable and parliamentary way, they were very[y]
" unacquainted with the order and constitution of
" this kingdom, and not so fit instruments to pro-
" mote the reformation and peace, they seem to de-
" sire.

" We cannot believe the intermixture of the pre-
" sent ecclesiastical government with the civil state,
" to be other than a very good reason; and that the
" government of the church should be by the rules
" of human policy, to be other than a very good
" rule, unless some other government were as well

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[y] very] *Not in MS.*

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" proved, as pretended, to be better warranted by " the word of[z] God.

" Of any bills offered to us for reformation[a], we " shall not now speak, they being a part of those ar- " ticles upon which we have offered, and expect to " treat: but cannot but wonder, by what authority " you prejudge our judgment herein, by denouncing " God's anger upon us, and our hazard of the loss of " the hearts of all our good subjects, if we consent " not unto them. The influence of so many bless- " ings from Heaven upon the reigns of queen Eli- " zabeth and our father of blessed memory, and " the acknowledgment of them by all protestant " churches, to have been careful nurses of the church " of Christ, and to have excellently discharged their " duties, in the custody and vindication of religion; " and the affection of their subjects to them, do suffi- " ciently assure us, that we should neither stop the " influence of such blessings, nor grieve the hearts " of all the godly, nor hazard the loss of the hearts " of our good subjects, although we still maintain, " in this kingdom, the same established ecclesiastical " government which flourished in their times, and " under their special protection.

" We doubt not, but our subjects of Scotland will " rest abundantly satisfied with such alterations in " their own church, as we have assented unto; and " not be persuaded by a mere assertion, that there is " no hope of continuance of what is there settled by " law, unless that be likewise altered which is settled " here. And our subjects of England will never de-

[z] the word of] *Omitted in MS.* [a] for reformation] *Not in MS.*

" part from their dutiful affection to us, for not con-
" senting to new laws, which, by the law of the
" land, they know we may as justly reject, if we ap-
" prove not of them, as either house hath power to
" prepare for, or both, to propound to us. Nor are
" you a little mistaken, if either you believe the ge-
" nerality of this nation to desire a change of church-
" government, or that most of those, who desire it,
" desire by it to introduce that which you [b] only
" esteem a reformation; but are as unwilling to sub-
" mit to what you call the yoke of Christ, and obe-
" dience to the gospel, as those whom you call pro-
" fane and worldly men; and so equally averse both
" to episcopacy and presbytery, that, if they should
" prevail in this particular, the abolition of the one
" would be no inlet to the other; nor would your
" hearts be less grieved, your expectations less frus-
" trated, your hopes less ashamed, or your refor-
" mation more secured. And the petitioners, upon
" due consideration, will not find themselves less
" mistaken in the government of all the reformed
" churches, which, they say, is by assemblies, than
" they are in the best way of reformation [c]; which
" sure is best to be in a common and ordinary way,
" where the passion or interest of particular men
" may not impose upon the public; but alteration
" be then only made, when, upon calm [d] debates,
" and evident and clear reason, and convenience,
" the same shall be generally consented to for the
" peace and security of the people; and those who
" are trusted by the law with such debates, are
" not divested of that trust, upon a general charge

[b] you] you will

[c] of reformation] of a reformation

[d] calm] *Not in MS.*

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"of corruptions, pretended to have entered by that "way; and of being the persons to be reformed, "and so unfit to be reformers. And certainly, the "like logic, with the like charges and pretences, "might be used to make the parliament itself an in- "capable judge of any reformation, either in church "or state.

"For the general expressions in the petition "against papists, in which the petitioners may be "understood to charge us with compliance and even "favour to their opinions; we have taken all occa- "sions to publish to the world our practice and re- "solution in the true protestant reformed religion: "and we are verily persuaded, there is no one sub- "ject in either of our dominions, who at all knows "us, and hath observed our life, but is, in his soul, "satisfied of our constant zeal and unmoveable[e] "affection to that religion, and of our true dislike of, "and hearty opposition to popery. And as we "willingly consented, at our being in Scotland, to "all acts proposed to us, for the discountenancing "and the reforming the papists in that our king- "dom; so, by our proclamations for the putting of "all laws severely in execution against recusants; "and by not refusing any one bill, presented to us "to that purpose, in this kingdom; and by our per- "petual and public professions of readiness, with "the advice of our two houses of parliament, pre- "pared for us in a deliberate and orderly way, to "find some expedient to perfect so good a work; "we conceived, we had not left it possible for any "man to believe us guilty of tolerating any part of

[e] unmoveable] unremoveable

" the Romish tyranny or superstition; or to suspect, " that the conversion of our dearest consort was not " so much our desire, that the accession of as many " crowns as God hath already bestowed on us, would " not be more welcome to us than that day: a " blessing, which it is our daily prayer to the Al- " mighty to bestow upon us.

" But we might well have expected from the pe- " titioners, who have, in their solemn national cove- " nant, literally sworn so much care of the safety of " our person, and cannot but know in how much " danger that hath been, and still is, by the power " and threats of rebellious armies, that they would " as well have remembered the 23d of October, as " the 5th of November; and as well have taken no- " tice of the army raised, and led against us by the " earl of Essex, which hath actually assaulted, and " endeavoured to murder us; which we know to " abound in Brownists, anabaptists, and other secta- " ries; and in which we have reason (by prisoners " we have taken, and the evidence they have given) " to believe there are many more papists (and many " of those foreigners) than in all our army; as have " advised us, to disband out of the army of the earl " of Newcastle, which is raised for our defence, the " papists in that army; who are known to be no " such number, as to endanger their obtaining any " power of building their Babel, and setting up their " idolatry; and whose loyalty he hath reason to com- " mend (though he was never suspected for favouring " their religion) not before that of protestants, but " of such as rebel under that title; and whose assist- " ance is as due to us, by the law of God and man, to " rescue us from domestic rebellion, as to defend us

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"from foreign invasion; which we think no man "denies to be lawful for them to do. But we do "solemnly declare, and protest, that God shall no "sooner free us from the desperate and rebellious "arms taken up against us, but we shall endeavour "to free ourselves and kingdom from any fear of "danger from the other, by disarming them, accord- "ing to the laws of this land; as we shall not fail to "send our commissioner[f] to the assembly, at the "time appointed for it by the laws of Scotland.

"To conclude, we desire and require the peti- "tioners (as becomes good and pious preachers of the "gospel) to use their utmost endeavours, to compose "any distraction in opinions, or misunderstandings, "which may, by the faction of some turbulent per- "sons, be raised in the minds of our good subjects "of that our kingdom; and to infuse into them a "true sense of charity, obedience, and humility, the "great principles of the Christian religion; that "they may not suffer themselves to be transported "with things that they do not understand, or think "themselves concerned in the government of another "kingdom, because it is not according to the cus- "toms of that in which they live; but that they "dispose themselves, with modesty and devotion, to "the service of Almighty God; with duty and affec- "tion, to the obedience of us, and our laws; (re- "membering the singular grace, favour, and benig- "nity, we have always expressed to that our native "kingdom;) and with brotherly and Christian cha- "rity one towards another: and we doubt not but "God, in his mercy to us and them, will make us

[f] commissioner] commissioners

" instruments of his blessings upon each other, and " both of us, in[g] a great measure, of happiness and " prosperity to the whole nation."

The transactions of the earl of Lowden and other Scottish commissioners at Oxford: that they might be mediators, and for a parliament in Scotland.

The lord Lowden and the other lay-commissioners, who were persons entirely guided by him, and of inferior quality, gave the precedence to this petition, which they called matter of religion; and pressed not their own commission, till the king had declared and published his answer to the other[h]: and though they pretended not to have any authority to say any thing in that engagement of the commissioners of the assembly; yet the lord Lowden used all importunity, and arguments, to persuade the king in private, to consent to the alteration of the government of the church; assuring him, " that " it would be a means, not only to hinder his sub- " jects of Scotland from adhering to the parliament; " but that it would oblige them to assist his majesty " to the utmost, in the vindication of all his rights." But he quickly found the king too strongly fixed to be swayed in a case of conscience, by a consideration of convenience; and his lordship undertook to give no other arguments.

He betook himself then with his companions to their own proper and avowed errand; which consisted of two parts: the one, to offer " the media- " tion of the conservators of the peace of that king- " dom, for the composure of the differences between " the king and the two houses;" the other, " to de- " sire his majesty, that he would send out his pre- " cepts to summon a parliament in Scotland." These

[g] in a great measure,] of a great measure

[h] to the other] to that

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desires, and any arguments to enforce them, they always delivered to the king himself in writing; declining any address to his ministers, or any debates with his council, lest it might seem to lessen the grandeur and absoluteness of the kingdom of Scotland." But the king always brought those papers, which he received from them, to his council; and received their advice, what answers to return. For the first, of mediation, they pretended a title and obligation to it, by a clause in the act of pacification made at the beginning of this parliament; which clause was, "That the peace to be then "established might be inviolably observed in all "time to come, it was agreed, that some should be "appointed by his majesty, and the parliaments of "both kingdoms, who, in the interim betwixt the "sitting of the parliaments, might be careful, that "the peace then happily concluded might be con-"tinued; and who should endeavour by all means "to prevent all troubles and divisions; and if any "debate and difference should happen to arise, to "the disturbance of the common peace, they should "labour to remove or compose them, according to "their power; it being supposed, that, for all their "proceedings of this kind, they should be answer-"able to the king's majesty and the parliament: "and if any thing should fall out that should be "above their power, and could not be remedied by "them, they should inform themselves in the parti-"culars, and represent the same to the king's ma-"jesty, and the ensuing parliament; that, by their "wisdoms and authority, all occasion and causes of "troubles might be removed, and the peace of the "kingdom might be perpetual to all posterity. And

" it was declared, that the power of the commission " should be restrained to the articles of peace in that " treaty."

This clause, and the whole statute, being carefully perused, and examined before his majesty in his council, the king returned an answer to them in writing.

The king's answer to them in both particulars.

" That he could not find any colour, or pretence " of authority, to be granted by that act of parliament, by which the commissioners for Scotland " could conceive themselves interessed in a faculty " of mediation; that the clause mentioned by them " (besides that there was no such commission granted " as was mentioned in that clause, nor any commissioners named for those purposes) related only to " the differences that might grow between the two " nations; and only upon the articles of that treaty, " which, his majesty said, had been, and should be, " inviolably observed by him. That the differences " between his majesty and his two houses of parliament had not the least relation to the peace between the two kingdoms, but to his unquestionable and long enjoyed rights[i], which his rebellious " subjects endeavoured, by force, to wrest from him; " and concerned the fundamental laws of this kingdom; which, as they could not be supposed to be " known to the conservators of the peace of Scotland, so they could not have any possible cognizance of them. That it might give great umbrage to his subjects of England, if he should consent to what they now proposed; and, instead of " confirming and continuing the peace, breed jea-

[i] to his unquestionable and long enjoyed rights] to the unquestionable and long enjoyed rights of his

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"lousies between the nations; and therefore he "could not admit of any such mediation as they "proposed; but that he hoped the treaty, which he "now expected, would beget so good an understand- "ing between him and his two houses, that a peace "might ensue; towards which he would expect "nothing from his subjects of Scotland, but their "prayers."

This gave them no satisfaction, but they insisted still on their right by that clause; which, without any reason or argument to persuade others to be of their mind, they said, "they conceived, laid that ob- "ligation upon them of interposition;" to which the king still gave the same answer.

For their other demand of a parliament in Scotland, the case stood thus: The king, at his last being in Scotland, had, according to the precedent he had made here, granted an act for triennial parliaments in that kingdom; and, at the close of that present parliament, had ratified another act, by which a certain day was appointed, for the commencement of the next; which day was to be on the first Tuesday of June, in the year 1644, except the king should call one sooner; which he had power to do. So that the question was only, whether the calling a parliament sooner in that kingdom was like to advance his service, and to contribute to the peace of this? In the disquisition whereof, there needed no arguments, that such a convention could not then produce benefit to the king; the entire government of that people being in those persons, who had contrived those dismal alterations. On the other hand, all men thought it very happy for the king, that, without his consent, there could be no parliament in

Scotland, till June 1644; which was more than fourteen months from this time: till when, how disinclined soever the whole nation should be, there was as much assurance as could possibly be, from that people, that the parliament would not be able to procure any avowed supply from that kingdom: it being the express words in the late act of pacification, "that the kingdom of England should not "denounce or make war against the kingdom of "Scotland, without consent of the parliament of "England;" as on the other part it was enacted, "that the kingdom of Scotland should not denounce "or make war against the kingdom of England, "without the consent of the parliament of Scotland. "And in case any of the subjects of either of the "kingdoms should arise[k] in arms, or make war "against the other kingdom, or subjects thereof, "without consent of the parliament of that king-"dom, whereof they are subjects, or upon which "they do depend, that they should be held, reputed, "and demanded, as traitors to the estates, whereof "they are subjects. And, that both the kingdoms, "in that case, should be bound to concur in the re-"pressing of those that should happen to arise in "arms, or make war, without consent of their own "parliament."

So that whoever believed, that those people could be contained by any obligations, divine or human, thought it impossible, by these clear texts, that any forces could be raised there to invade England, and disturb his majesty, till June 1644; before which time, there was hope the king might so far prevail,

[k] arise] rise

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that the spirit of the rebellion might be broken, and men return again to their understanding and allegiance. Therefore to that demand the king returned answer, "that against the time by which they could "legally demand a parliament," (naming the day,) "he would issue out his writs, and there being no "emergent cause to do it sooner, he would forbear "to put his subjects there to that trouble, which "those meetings, how necessary soever, would na-"turally carry with them."

When they perceived that they should not receive satisfaction in either of their proposals, and (which it may be troubled them more) that the king was so wary in his answers, and so clearly expressed the reasons and justice of them, that they should have no arguments to apply to the passion or interest of their countrymen; which they expected at least; (for in that, in which he was most steadfastly resolved, the preservation of the government of the church, he expressed no more to them, than, "that being a "matter of so great importance, and having so near "relation to the civil government and laws of Eng-"land, they could not be competent considerers of "it; but that he would do what should be most "safe, and necessary for the peace and welfare of "his subjects, who were most concerned in it;") at last rather cursorily, and as matter of ceremony at parting, than of moment, they desired "the king's "leave, and pass to go to London," having, as they said, "some business there before their return into "their own country."

This was, by many, thought a thing of so small moment, that the king should readily grant it; since it was evident, that it was in their own power to go

thither without his leave; for they were necessarily to return through the enemy's quarters; and being once there, they might choose whether they would go directly home, or visit London. And therefore that request was thought but an instance of their modesty, that they might not return without one thing granted to them, at their request. But the king looked upon it as no indifferent thing; and their asking a business that they needed not ask, was enough to demonstrate, that there was more in it than appeared. And he well knew, there was a great difference between their going to London with his pass and licence, and without it, which they might easily do. They had now publicly declared their errand, and claimed a title, and legal capacity to undertake the business of mediation; which would be so far from being rejected there, that they would be thankfully received, and admitted to a power of umpirage. If upon, or after this claim, the king should grant them his pass, it would, by their logic, more reasonably conclude his assent, than many of those inferences which they drew from more distant propositions; and having that ground once, his majesty's not consenting to what those grave mediators would propose, and afterwards, as arbitrators, award, should be quarrel sufficient for the whole nation to engage. And therefore the king expressly denied his pass and safe conduct; and told them plainly the reason why he did so; and required them, "since he had denied to consent to that, which "could be the only ground of their going to Lon- "don, that they should first return to those that "sent them, before they attempted that journey: if "they did otherwise, they must run the hazard of

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"persons, whom his majesty would not countenance "with his protection." And the truth is, though they might very well have gone to London, they could not have returned thence to Scotland, (except they would have submitted to the inconvenience and hazard of a voyage by sea,) without so much danger from the king's quarters in the north, (York and Newcastle being at his devotion,) that they could not reasonably promise themselves to escape.

The parliament's commissioners to treat came to Oxford.

Whilst this was in agitation, the committee from the parliament for the treaty, to wit, the earl of Northumberland, Mr. Pierrepoint, sir W. Armyn, sir John Holland, and Mr. Whitlock, came to Oxford; who shortly took notice of the Scottish[1] commissioners' desires, and also desired on their behalf, "that they might have his majesty's leave to go to "London:" but being quickly answered, "that that "request would not fall within either of the propo- "sitions agreed to be treated of," they modestly gave over the intercession: and in the end, the lord Lowden and his countrymen returned directly to Scotland, staying only so long in the garrisons of the enemy, through which they were reasonably to pass, as to receive such animadversions, and to entertain such communication, as they thought most necessary.

The treaty begins upon the proposals of cessation; but that takes no effect.

As soon as the committee arrived at Oxford, they were very graciously received by the king; his majesty always giving them audience in council, and they withdrawing into a private chamber prepared for them, whilst their proposals, which they still delivered in writing, were considered, and debated be-

[1] Scottish] Scotch

fore the king. They declared, "that they were first "to treat of the cessation, and till that was con- "cluded, that they were not to enter upon any of "the other propositions;" with which his majesty was well pleased, presuming that they had brought, or had power to give, consent to the articles proposed by him; which he rather[m] believed, when they read the preamble to the articles; in which it was declared, "that the lords and commons being "still carried on with a vehement desire of peace, "that so the kingdom might be freed from the de- "solation and destruction, wherewith it was like to "be overwhelmed, had considered of the articles of "cessation with those alterations, and additions, "offered by his majesty; unto which they were "ready to agree in such manner as was expressed "in the ensuing articles." After which, were inserted the very articles had been first sent to the king, without the least condescension to any one alteration, or addition, made by him; neither had the committee power to recede, or consent to any alteration, but only to publish it, if the king consented in terms, and then, and not till then, to proceed to treat upon the other propositions.

This the king looked upon as an ill omen; other men as a plain contempt, and stratagem, to make the people believe, by their sending their committee, that they did desire a treaty and a cessation, yet, by limiting them so strictly, to frustrate both, and to cast the envy of it upon the king. Hereupon, the next day, the king sent a message to them, which he published, to undeceive the people; farther press-

[m] rather] the rather

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ing "the weight and consequence of his former exceptions, and alterations; and the inconvenience that proceeded from not granting their committee power to alter so much as verbal expressions: so that, if the king should consent to the articles as they were proposed, he should not only submit to great disadvantages; but some such, as themselves would not think reasonable to oblige him to. As by that article wherein they reserved a power to send out a fleet, or what ships they thought good, to sea; they were not at all restrained from sending what land forces they pleased, to any part of the kingdom; so that, when the cessation ended, they might have new and greater armies throughout the kingdom, than they had when it begun; which, he presumed, they did not intend; being a thing so unequal, and contrary to the nature of a cessation.

"Then in the articles they last sent, they styled their forces, the army raised by the parliament; the which if his majesty should consent to, he must acknowledge, either that he consented to the raising that army, or that he was no part of the parliament: neither of which, he conceived, they would oblige him to do. And therefore he desired, that their committee might have liberty to treat, debate, and agree upon the articles; upon which they and all the world should find, that he was less solicitous for his own dignity and greatness, than for his subjects' ease and liberty. But if that so reasonable, equal, and just desire of his should not be yielded unto, but the same articles still insisted upon, though his majesty, next to peace, desired a cessation, yet, that the not agree-

" ing upon the one might not destroy the hopes of, " nor so much as delay, the other; he was willing " to treat, even without a cessation, upon the propo- " sitions themselves, in that order that was agreed; " and desired their committee might be enabled to " that effect. In which treaty he would give," he said, " all his subjects that satisfaction, that if any " security to enjoy all the rights, privileges, and li- " berties, due to them by the law, or that happiness " in church and state, which the best times had " seen, with such farther acts of grace, as might " agree with his honour, justice, and duty to his " crown, and which might not render him less able " to protect his subjects, according to his oath, would " satisfy them; his majesty was confident, in the " mercy of God, that no more precious blood of this " nation would be thus miserably spent."

This message produced liberty to the committee to enter upon the treaty itself, upon the propositions, though the cessation should not be agreed to: and shortly after they sent reasons to the king, why they consented not to the cessation in such manner, and with those limitations, as he had proposed. 1. They alleged, " that, if they should grant such a free " trade, as the king desired, to Oxford, and other " places, where his forces lay, it would be very diffi- " cult, if not impossible, to keep arms, ammunition, " money, and bullion, from passing to his army: " however, it would be exceeding advantageous to " his majesty, in supplying his army with many ne- " cessaries, and making their quarters a staple for " such commodities, as might be vented in the ad- " jacent counties; and so draw money thither; " whereby the inhabitants would be better enabled

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"by loans, and contributions, to support his army. "As this advantage to him was very demonstrable, "so it was very improbable that it would produce "any supply to them; and, in a treaty for cessation[n], "those demands could not be thought reasonable "that were not indifferent, that is, equally advan- "tageous to both parties. 2. That to demand the "approving the commanders of the ships, was, to "desire to add[o] the strength of the one party to the "other, before the differences were ended; against "all rules of treaty. And to make a cessation at "sea, was to leave the kingdom naked to foreign "forces, and the ports open for his supplies of arms "and ammunition. But for conveying any forces, "by those means, from one part to the other, they "would observe the articles by which that was re- "strained. 3. For the expression of the army "raised by the parliament, they were contented it "should be altered, and the name of the two houses "used. 4. For the committing none, but accord- "ing to the known laws of the land, that is, by the "ordinary process of law, it would follow, that no "man must be committed by them for supplying "the king with arms, money, or ammunition; for, "by the law of the land, the subject might carry "such goods from London to Oxford: the soldiers "must not be committed who do run from their co- "lours, and refuse any duty in the army; no man "should be committed, for not submitting to neces- "sary supplies of money: so that if it should be "yielded to, in his majesty's sense, they should "be disabled to restrain supplies from their ene-

[n] cessation] a cessation

[o] to add] *Not in MS.*

" mies, and to govern and maintain their own soldiers; and so, under a disguise of a cessation, " should [p] admit that which would necessarily pro- " duce the dissolving of their army, and destruction " of their cause. And," they said, " it was not pro- " bable, that his majesty would suffer the same in- " conveniences by that clause; for that they believed " he would interpret, that what his general did by " virtue of his commission, was and would be done " according to the known laws of the land; whereas " he had denied, that those known laws gave any " power to the two houses of parliament to raise " armies; and so, consequently, their general could " not exercise any martial laws. So that under the " specious show of liberty and law, they should be " altogether disabled to defend their liberties and " laws; and his majesty would enjoy an absolute " victory and submission, under pretence of a ces- " sation and treaty." They said, " being, by a ne- " cessity inevitable, enforced to a defensive war, and " therein warranted both by the laws of God and " man, it must needs follow, that, by the same law, " they were enabled to raise means to support that " war; and therefore they could not relinquish that " power of laying taxes upon those who ought to " join with them in that defence, and the necessary " way of levying those taxes upon them, in case of " refusal; for otherwise their army must needs be " dissolved."

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Though these reasons were capable, in a sad and composed debate, of full answers, and many things would naturally have flowed from them, to disprove

[p] should] that should

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the practice and assertions of the framers of them; yet it was very evident, that they carried such a kind of reason with them, as would prevail over the understandings of the people; and that the king, by not consenting to the cessation, as it was proposed by them, would be generally thought to have rejected any; which could not but have an ill influence upon his affairs: and therefore his majesty sent them, as soon as he had weighed this late message, which he well discerned was not formed to satisfy him, but to satisfy the people against him, an answer; in which he explained the ill consequence of many of their assumptions, and enforced the importance of his former demands on the behalf of the people: however, he offered "to admit the cessation "upon the matter of their own articles; so that he "might not be understood to consent to any of those "unjust and illegal powers, which they exercised "upon the subjects." But from henceforward, the houses declined any farther argument and debate concerning the cessation; and directed their committee, "to expedite the treaty upon the proposi-"tions:" the particulars whereof being transacted in the beginning of the year 1643, I shall refer the narrative to the next book; intending in this, only to comprehend the transactions to the end of 1642.[q]

I am persuaded, if the king had, upon the receipt of the articles for the cessation, when they were first sent to him, frankly consented to it, it would have proved very much to his advantage; and that his army would very much have increased by it, and the other been impaired; and that it would have been

[q] 1642.] *Namely old style.*

very difficult for the parliament to have dissolved it, if once begun, or to have determined the treaty. But besides the reasons before mentioned, the consideration of the northern forces, and the restraining them within their old quarters, who seemed to be in a condition of marching even to London itself, prevailed very far with the king; or rather (which indeed was the main[r] reason, and rendered every other suggestion of weight) the jealousy that they did not intend to consent to or admit any peace, but such a one as his majesty might not admit, made all the preliminary debates the more insisted on.

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I cannot[s] but insert one particular, which[t] may hereafter be thought of some signification. It was now the time of the year, when, by the custom of the kingdom, the king's judges itinerant used to go the[v] circuits throughout England and Wales, to administer justice to the people; and to inquire into all treasons, felonies, breaches of the peace, and other misdemeanours, which were any where committed contrary to the known laws; and they[u] were sworn to judge according to those known laws, the study and knowledge whereof was their profession.

The lords and commons now sent to the king a special message, "to advise, and desire him, that, in "regard of the present distractions, which might "hinder both the judges and the people from re-"sorting to those places where such meetings might "be appointed, the assizes and gaol-delivery might "not be holden; but that it might be deferred,

The advice and desires of the two houses concerning gaol-delivery.

[r] main] grand
[s] I cannot] Before I conclude this book, I cannot
[t] which] which by some men
[v] the] their
[u] they] who

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"until it should please God to restore peace unto "his people."

His majesty's answer.

The king returned them answer; "that the pre- "sent bloody distractions of the kingdom, which he "had used all possible means to prevent, and would "still to remove, did afflict his majesty under no "consideration more, than of the great interruption "and stop it made in the course and proceedings of "justice, and the execution of the laws; whereby "his good subjects were robbed of the peace and "security they were born to. And therefore, as "much as in him lay, he would advance that only "means of their happiness; at least, they should "see that their sufferings that way proceeded not "from his majesty; and since they might now ex- "pect, by the laws, statutes, and customs of the "kingdom, the assizes and general gaol-delivery in "every county, his majesty thought not fit to com- "mand the contrary; but would take severe and "precise order, that none of his subjects should re- "ceive the least prejudice, as they repaired thither, "by any of his forces, which rule he should be glad "to see observed by others. And then he hoped, "by the execution of the laws, even those public "calamities might have some abatement, and the "kingdom recover its former peace and prosperity."

But this answer was not more satisfactory than others[x] they had usually received from him; and therefore they betook themselves to their old tried weapon, and made an ordinance, "that all judges, "and justices of assize and nisi prius, and justices "of oyer and terminer, and gaol-delivery, should

The two houses make an ordinance to forbid

[x] others] *Not in MS.*

" forbear to execute any of their said commissions, " or to hold or keep any assizes, or gaol-delivery, at " any time during that Lent vacation; as they would " answer the contempt and neglect thereof before " the lords and commons in parliament." This [y] was the first avowed interruption and suspension of the public justice, that happened, or that was known ever before in that kind; and gave the people occasion to believe, that what the parliament did (what pretence soever there was of fundamental laws) was not so warrantable by that rule, since they laboured so much to suppress that inquisition. It was not in the king's power to help this; for besides that the example of judge Mallet, who, the circuit before, had been forcibly taken from the bench by a troop of horse, as is before remembered, terrified all the judges, (and there were very few counties in England, in which they could have been secure from the like violence,) the records, upon which the legal proceedings were to be, were at London; and so the exercise of the law ceased throughout the kingdom, save only in some few counties, whither the king sent some judges of assize, and into others, his commission [z] of oyer and terminer; by virtue whereof, the earl of Essex, and many others, were as legally attainted of high treason, as the wisdom of our ancestors could direct.

the next assizes, and gaol-delivery.

The treaty[a], as is said, being managed at the

[y] This] And this

[z] commission] commissions

[a] The treaty—against him.] *This paragraph does not appear in either of lord Clarendon's manuscripts; but in MS. B. the characters of the privy-counsellors are thus introduced:* We shall in this place, and before we mention the treaty which shortly ensued, for in the time between the return of the commissioners to London, and the beginning of the treaty, this

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council-table, the pride of the parliament having refused to treat with any but the king himself, and his majesty resolving to transact all by the advice and opinion of his privy-council, it will be seasonable in this place to set down the names of all those privy-counsellors who attended the king: there being at this time a new one added to the number; for in the time between the return of the commissioners to London, and their coming back to the treaty, sir John Colepepper being preferred to be master of the rolls, Mr. Hyde was made chancellor of the exchequer, who, till that time, though he was known to be trusted in matters of the greatest importance, was not under any character in the court: and when we have named those, who according to their duty did wait upon the king, we shall likewise name those, who, being under the same obligation, stayed and acted with the parliament against him.

An account and character of the privy-counsellors then attending the king, and those who stayed with the two houses.

Mr. Hyde made chancellor of the exchequer.

Of the lord Littleton.

The lord Littleton was keeper of the great seal of England, of whom so much hath been said before, that there is no need of enlargement upon him in this place. His parts, which in the profession of the law were very great, were not very applicable to the

person (whom we shall hereafter mention under the style of chancellor of the exchequer) was preferred to that office, and because it was about the end of the year (1642-3), it being in February when he was sworn a privy-counsellor, we shall set down the state of the court and the state of the kingdom at this time, the names of those privy-counsellors who attended the king, or were in his service, and the names of those who were likewise of the council, but stayed and acted with the parliament against the king; and likewise the temper of the kingdom at that season, as it was possessed and made useful to either party; and then it will easily appear how little motive any man could have from interest or ambition, who was not carried by the impulsion of conscience and consideration of duty, to engage himself in the quarrel on the king's side The lord Littleton &c. *as above, line* 19.

business now in hand; and though, from the time of the king's coming to Oxford, the king had confidence enough in him, to leave the seal in his custody, and he would have been glad to have done any service; yet, by ill fortune, he had drawn[b] so great a disesteem upon him from most men, that he gave little reputation to the council, and had little authority in it.[c].

Of the duke of Richmond.

The duke of Richmond, as he was of the noblest extraction, being nearest allied to the king's person of any man who was not descended from king James; so he was very worthy of all the grace and favour the king had shewed him; who had taken great care of his education, and sent him into France, Italy, and Spain, where he was created a grandee of that kingdom; and as soon as he returned, though he was scarce one and twenty years of age, made him a privy-counsellor; and shortly after, out of his abundant kindness to both families, married him to the sole daughter of his dead favourite, the duke of Buckingham; with whom he received twenty thousand pounds in portion; and his majesty's bounty was likewise very great to him; so that, as he was very eminent in his title, he[d] was at great ease in his fortune. He was a man of very good parts, and an excellent understanding; yet, which is no common infirmity, so diffident of himself, that he was sometimes led by men who judged much worse. He was of a great and haughty spirit, and so punctual in point of honour, that he never swerved a tittle. He had so entire a resignation of himself to the

[b] yet, by ill fortune, he had drawn] his very ill fortune had drawn

[c] in it.] *MS. adds:* He was exceedingly glad that his friend the chancellor of the exchequer was become a member of it.

[d] he] so he

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king, that he abhorred all artifices to shelter himself from the prejudice of those, who, how powerful soever, failed in their duty to his majesty; and therefore he was pursued with all imaginable malice by them, as one that would have no quarter, upon so infamous terms, as but looking on whilst his master was ill used. As he had received great bounties from the king, so he sacrificed all he had to his service, as soon as his occasions stood in need of it; and lent his majesty, at one time, twenty thousand pounds together; and, as soon as the war begun, engaged his three brothers, all gallant gentlemen, in the service; in which they all lost their lives. Himself lived, with unspotted fidelity, some years after the murder of his master, and was suffered to put him into his grave; and died, without the comfort of seeing the resurrection of the crown.

Of the marquis of Hertford.

The marquis of Hertford was a man of great honour and fortune, and interest in the affection of the people; and had always undergone hard measure from the court, where he long[e] received no countenance, and had no design of making advantage from it. For, though he was a man of very good parts, and conversant in books, both in the Latin and Greek languages, and of a clear courage, of which he had given frequent evidence; yet he was so wholly given up to a country life, where he lived in splendour, that he had an aversion, and even an unaptness, for business: besides his particular friendship with the earl of Essex, whose sister he had married, his greatest acquaintance and conversation had been with those who had the reputation of being

[e] long] *Not in MS.*

best affected to the liberty of the kingdom, and least in love with the humour of the court; many of whom were the chief of those who engaged themselves most factiously and furiously against the king. But as soon as he discerned their violent purposes against the government established, before he suspected their blacker designs, he severed himself from them; and, from the beginning of the parliament, never concurred with them in any one vote dishonourable to the king, or in the prosecution of the earl of Strafford. He did accept the government of the prince of Wales, as is mentioned before, purely out of obedience to the king; and, no doubt, it was a great service; though for the performance of the office of a governor, he never thought himself fit, nor meddled with it. He left York, as is remembered, to form an army for the king in the west, where his interest was; but he found those parts so corrupted, and an army from the parliament was poured down so soon upon him, that there was nothing for the present to be done worthy of his presence; so that he sent the small party, that was with him, farther west to Cornwall; where, by degrees, they grew able to raise an army, with which they joined with him afterwards again; and himself returned to the king at Oxford, about the time when the treaty begun[f].

Of the earl of Southampton.

The earl of Southampton was indeed a great man in all respects, and brought very much reputation to the king's cause. He was of a nature much inclined to melancholy, and being born a younger brother,

[f] when the treaty begun] *Originally in MS.* when the chancellor of the exchequer was made, who was much in his favour, and with whom he had corresponded principally during his absence from the court.

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and his father and his elder brother dying upon the point together, whilst he was but a boy, he was at first[g] much troubled to be called *my lord*, and with the noise of attendance; so much he then delighted to be alone. He had a great spirit;[h] he had never had any conversation in the court, nor obligation to it. On the contrary, he had undergone some hardship from it; which made it believed, that he would have been ready to have taken all occasions of being[i] severe towards it. And therefore, in the beginning of the parliament, no man was more courted by the managers of those designs. He had great dislike of the high courses, which had been taken in the government, and a particular prejudice to the earl of Strafford, for some exorbitant proceedings. But, as soon as he saw the ways of reverence and duty towards the king declined, and the prosecution of the earl of Strafford to exceed the limits of justice, he opposed them vigorously in all their proceedings. He was a man of great[k] sharpness of judgment, a very quick apprehension, and that readiness of expression upon any sudden debate, that no man delivered himself more advantageously and weightily, and more efficaciously with the hearers; so that no man gave them more trouble in his opposition, or drew so many to a concurrence with him in opinion. He had no relation to, or dependence upon, the court, or purpose to have any; but wholly pursued the public interest. It was long before he could be prevailed with to be a counsellor, and longer before

[g] at first] *Not in MS.*

[h] He had a great spirit;] Yet he had a great spirit, and exacted the respect that was due to his quality;

[i] of being] to have been

[k] great] a great

he would be admitted to be of the bedchamber; and received both honours the rather, because, after he had refused to take a protestation, which both houses had ordered to be taken by all their members, they had likewise voted, "that no man should be capable "of any preferment in church or state, who refused "to take the same;" and he would shew how much he contemned those votes. He went with the king to York; was most solicitous, as hath been said, for the offer of peace at Nottingham; and was with him[l] at Edge-hill; and came and stayed with him at Oxford to the end of the war, taking all opportunities to advance all motions towards peace; and, as no man was more punctual in performing his own duty, so no man had more melancholy apprehensions of the issue of the war; which is all shall be said of him in this place, there being frequent occasions to mention him, in the continuance of this discourse[m].

Of the earl of Leicester.

The earl of Leicester was a man of great parts, very conversant in books, and much addicted to the mathematics; and though he had been a soldier, and commanded a regiment, in the service of the States of the United Provinces, and was afterwards employed in several embassies, as in Denmark and in France, was in truth rather a speculative, than a practical man; and expected a greater certitude in the consultation of business, than the business of this world is capable of: which temper proved very inconvenient to him through the course of his life. He was, after the death of the earl of Strafford, by the concurrent

[l] was, with him] was then with him

[m] *MS. adds:* there being always a fast friendship between him and the chancellor of the exchequer, which lasted to his death.

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kindness and esteem both of king and queen, called from his embassy in France, to be lieutenant of the kingdom of Ireland; and, in a very short time after, unhappily lost that kindness and esteem: and being, about the time of the king's coming to Oxford, ready to embark at Chester, for the execution of his charge, he was required to attend his majesty, for farther instructions, at Oxford; where he remained; and though he was of the council, and sometimes present, he desired not to have any part in the business; and lay under many reproaches and jealousies, which he deserved not: for he was a man of honour, and fidelity to the king, and his greatest misfortunes proceeded from the staggering and irresolution in his nature.

Of the earl of Bristol.

The earl of Bristol was a man of a grave aspect, of a presence that drew respect, and of long experience in affairs of great importance. He had been, by the extraordinary favour of king James to his person (for he was a very handsome man) and his parts, which were naturally great, and had been improved by good[n] education at home and abroad, sent ambassador into Spain, before he was thirty years of age; and afterwards in several other embassies; and at last, again into Spain; where he treated and concluded the marriage between the prince of Wales and that infanta; which was afterwards dissolved. He was by king James made of the privy-council, vice-chamberlain of the household, an earl, and a gentleman of the bedchamber to the prince, and was then crushed by the power of the duke of Buckingham, and the prejudice the prince himself had con-

[n] good] a good

tracted against him, during his highness's being in Spain; upon which he was imprisoned upon his return; and after the duke's death, the king retained so strict a memory of all that duke's[o] friendships and displeasures, that the earl of Bristol could never recover any admission to court[p]; but lived in the country, in ease, and plenty in his fortune, and in great reputation with all who had not an implicit reverence for the court; and before, and in the beginning of the parliament, appeared in the head of all the discontented party; but quickly left them, when they entered upon their unwarrantable violences, and grew so much into their disfavour, that after the king was gone to York, upon some expressions he used in the house of peers in debate, they committed him to the Tower; from whence being released, in two or three days, he made haste to York to the king; who had before restored him to his place in the council and the bedchamber. He was with him at Edge-hill, and came with him from thence to Oxford; and, at the end of the war, went into France; where he died; that party having so great an animosity against him, that they would not suffer him to live in England, nor to compound for his estate, as they suffered others to do, who had done them more hurt. Though he was a man of great parts, and a wise man, yet he had been for the most part single, and by himself, in business; which he managed with good sufficiency; and had lived little in consort, so that in council he was passionate, and supercilious, and did not bear contradiction without much passion, and was too voluminous in

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[o] that duke's] his [p] to court] to the court

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discourse; so that he was not considered there with much respect; to the lessening whereof no man contributed more than his son, the lord Digby; who shortly after came to sit there as secretary of state, and had not that reverence for his father's wisdom, which his great experience deserved, though he failed not in his piety towards him.

Of the earl of Newcastle.

The earl of Newcastle was a person well bred, and of a full and plentiful fortune; and had been chosen by the king to be governor to the prince of Wales, and made of the council, and resigned that office of governor to the marquis of Hertford, for the reasons which have been mentioned. He was not at Oxford, but remained at Newcastle, with the king's commission to be general of those parts; being a man of great courage, and signal fidelity to the crown, of whom there will be more occasion hereafter to enlarge.

Of the earl of Berkshire, and others.

The earl of Berkshire was of the council, but not yet at Oxford; having been, about or before the setting up of the standard, taken prisoner in Oxfordshire, and committed to the Tower, upon an imagination that he had some purpose to have executed the commission of array in that county; but they afterwards set him at liberty, as a man that could do them no harm any where; and then he came to Oxford, with the title and pretences of a man, who had been imprisoned for the king, and thereby merited more than his majesty had to give. His affection for the crown was good, but his interest little.[q]

[q] but his interest little.] *Thus in MS.*: his interest and reputation less than any thing but his understanding.

The lord Dunsmore [r] had been made a privy-counsellor, after so many, who had deserved worse, had been called thither; and was ready to do whatever he was directed: he was a man of a rough and tempestuous nature, violent in pursuing what he wished, without judgment, or temper to know the way of bringing it to pass; however, he had some kind of power with froward and discontented men; at least he had credit to make them more indisposed. But his greatest reputation was, that the earl of Southampton married his daughter, a [s] beautiful and a worthy lady.

The lord Seymour, being brother to the marquis of Hertford, was a man of interest and reputation; he had been always very popular in the country; where he had lived [t] out of the grace of the court; and his parts and judgment were best in those things which concerned the good husbandry, and the common administration of justice to the people. In the beginning of the parliament, he served as knight of the shire for Wiltshire, where he resided [u]; and behaving himself with less violence in the house of commons, than many of his old friends did, and having a great friendship for the earl of Strafford, he was, by his interposition, called to the house of peers; where he carried himself very well in all things relating to the crown; and when the king

[r] The lord Dunsmore] *Thus in MS.*: The lord Dunsmore had been made a privy-counsellor, after so many, who had deserved worse, had been called thither, to make an atonement; which failing, he could not be refused who was ready to do whatever he was directed:

[s] a] who was a

[t] lived] always lived

[u] resided] lived

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went to York, he left the parliament, and followed his majesty, and remained firm in his fidelity.

1643. The lord Savile was likewise of the council, being first controller, and then treasurer of the household, in recompense of his discovery of all the treasons and conspiracies, after they had taken effect, and could not be punished. He was a man of an ambitious and restless nature; of parts and wit enough; but, in his disposition, and inclination, so false, that he could never be believed, or depended upon. His particular malice to the earl of Strafford, which he had sucked in with his milk, (there having always been an immortal feud between the families; and the earl had shrewdly overborne his father,) had engaged him with all persons who were willing, and like to be able, to do him mischief. And so, having opportunity, when the king was at the Berks, and made the first unhappy pacification, to enter into conversation, and acquaintance, with those who were then employed as commissioners from the Scots, there was a secret intelligence entered into between them from that time; and he was a principal instrument to engage that nation to march into England with an army; which they did the next year after. To which purpose, he sent them a letter, signed with the names of several of the English nobility, inviting them to enter the kingdom, and making great promises of assistance; which names were forged by himself, without the privity of those who were named. And when all this mischief was brought to pass, and he found his credit in the parliament not so great as other men's, he insinuated himself into credit with somebody, who brought him to the king

or queen, to whom he confessed all he had done to bring in the Scots, and who had conspired with him, and all the secrets he knew, with a thousand protestations "to repair all by future loyalty and service;" for which he was promised a white staff, which the king had then resolved to take from sir Henry Vane, who held it with the secretary's office; which he had accordingly; though all his discovery was of no other use, than that the king knew many had been false, whom he could not punish; and some, whom he could not suspect. When the king came to York, where this lord's fortune and interest lay, his reputation was so low, that the gentlemen of interest, who wished well to the king's service, would not communicate with him; and, after the king's remove from thence, the earl of Newcastle found cause to have such a jealousy of him, that he thought it necessary to imprison him; and afterwards sent him to Oxford; where he so well purged himself, that he was again restored to his office. But in the end he behaved himself so ill, that the king put him again out of his place, and committed him to prison, and never after admitted him to his presence; nor would any man of quality ever after keep any correspondence with him. 1643.

Of the lord Falkland, and sir John Colepepper, there hath been so much said before, that there is no occasion to add to it in this place. There will be reason too soon to lament the unhappy death of the former; and the latter, who never failed in his fidelity, will be very often mentioned throughout the ensuing discourse.

Secretary Nicholas was a very honest and industrious man, and always versed in business; which

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few of the others were, or had been. After some time spent in the university of Oxford, and then in the Middle Temple, he lived some years[x] in France; and was afterwards[y] secretary to the lord Zouch, who was a privy-counsellor, and warden of the cinque ports; and thereby he understood all that jurisdiction, which is very great, and exclusive to the admiral. And when that lord, many years after, surrendered that office to the king, to the end that it might be conferred upon the duke of Buckingham, his secretary was likewise preferred with the office; and so, in a short time, became secretary of the admiralty, as well as of the cinque ports; and was entirely trusted, and esteemed by that great favourite. After his death, he continued in the same place, whilst the office was in commission, and was then made clerk of the council, from whence the king called him to be secretary of state, after secretary Windebank fled the kingdom; upon his majesty's own[z] observation of his virtue and fidelity, and without any other recommendation: and he was in truth, throughout his whole life, a person of very good reputation, and of singular integrity.

There remain only two of the council then at Oxford, who are not yet named, sir John Banks, who had been attorney general, and was then chief justice of the common pleas, a grave and a learned man in the profession of the law; and sir Peter Wych, who had been ambassador at Constantinople; from whence he returned very little before the troubles, and gratified sir Thomas Jermyn very liberally for his white staff, when the court was very low, and so

[x] some years] a year or thereabouts

[y] afterwards] then

[z] his majesty's own] his own

was made a privy-counsellor, and controller of the household. He was a very honest, plain man; and died very shortly after the treaty, and was succeeded by sir Christopher Hatton, a person of great reputation at that time, which in few years he found a way to diminish.[a]

Of those who were of the king's council[b], and who stayed and acted with the parliament, the earl of Northumberland may well be reckoned the chief, in respect of the antiquity and splendour of his family, his great fortune and estate, and the general reputation he had among the greatest men, and his

Of those of the privy-counsellors who stayed with the parliament.

Of the earl of Northumberland.

[a] to diminish.] utterly to lose.

[b] Of those who were of the king's council] *These characters are thus introduced in MS. B.:* This was the state of the king's council at Oxford when Mr. Hyde was made chancellor of the exchequer; and amongst them there were not many who had been acquainted with the transaction of business, at least with business of that kind which they were then to be incumbent to; and from the first entrance into the war, the soldiers did all they could to lessen the reverence that was due to them, thinking themselves the best judges of all counsels and designs, because they were for the most part to execute them: but they neither designed well nor executed, and it may be executed the worse, because they had too great a power in the designing; the king himself too much inclining to them, out of too little esteem of many of his counsellors. At that time the king's quarters were only between Oxford and Reading, and some miles on the other side to Banbury, and the town of Newcastle in the north, and Pendennis in the west of Cornwall; but in some months after, they were extended as far as Chester upon the Severn; and the earl of Newcastle reduced all to York, and drove all who professed for the parliament into Hull; and sir Ralph Hopton, with the assistance of sir Nicholas Slanning, Arundel, and Trevannion, made themselves masters of Cornwall, and afterwards advanced farther towards a conjunction with the king.

And here it will not be amiss to look back, and take a view of those persons who were of the king's council, and had deserted his service, and stayed in the parliament to support the rebellion; and of the parliament's strength and power at that time in and over the kingdom. The earl of Northumberland may well be reckoned the chief of them, &c.

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great interest, by being high admiral of England. Though he was of a family, that had lain under frequent blemishes of want of fidelity to the crown, and his father had been long a prisoner in the Tower, under some suspicion of having[c] some knowledge of the gunpowder treason; and after he was set at liberty, by the mediation and credit of the earl of Carlisle, who had, without and against his consent, married his daughter, he continued, to his death, under such a restraint, that he had not liberty to live and reside upon his northern estate: yet this lord's[d] father was no sooner dead, than the king poured out his favours upon him in a wonderful measure: he begun[e] with conferring the order of the garter upon him, and shortly after made him of his privy-council; when a great fleet of ships was prepared, by which the king meant that his neighbour princes should discern, that he intended[f] to maintain and preserve his sovereignty at sea, he sent the earl of Northumberland admiral of that fleet, a much greater than the crown had put to sea since the death of queen Elizabeth, that he might breed him for that service, before he gave him a more absolute command: And after he had, in that capacity, exercised himself a year or two, the king[g] made him lord high admiral of England; which was such a quick succession of bounties and favours, as had rarely befallen any man, who had not been attended with the envy of a favourite. He was, in all his deportment, a very great man, and that which

[c] under some suspicion of having] under no less a suspicion than of having
[d] this lord's] his
[e] begun] began
[f] intended] meant
[g] the king] he

looked like formality, was a punctuality in preserving his dignity from the invasion and intrusion of bold men, which no man of that age so well preserved himself from. Though his notions were not large or deep, yet his temper, and reservedness in discourse, and his reservedness[h] in speaking, got him the reputation of an able and a wise man; which he made evident in the excellent government of his family, where no man was more absolutely obeyed; and no man had ever fewer idle words to answer for; and in debates of importance, he always expressed himself very pertinently. If he had thought the king as much above him, as he thought himself above other considerable men, he would have been a good subject; but the extreme undervaluing those, and not enough valuing the king, made him liable to the impressions, which they who approached him by those addresses of reverence and esteem, that[i] usually insinuate[k] into such natures, made in him. So that[l] after he was first prevailed upon, not to do that which in honour and gratitude he was obliged to, (which is a very pestilent corruption,) he was, with the more facility, led to concur in what, in duty and fidelity, he ought not to have done, and which at first he never intended to have done. And so he concurred in all the counsels which produced the rebellion, and stayed with them to support it; which is as much as is necessary to say of him in this place, since there will be often occasion hereafter to mention him, with some enlargement.

The earl of Pembroke hath been enough men- Of the earl of Pembroke.

[h] reservedness] unrashness
[i] that] which
[k] insinuate] insinuate themselves
[l] So that] And so

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tioned in a better conjuncture of time, when his virtues were thought greater than they were, and his vices very little discerned. Yet, by what was then said, his nature and his parts might be well enough understood; and as neither the one nor the other were improveable, so they were liable to be corrupted by any assaults; his understanding being easy to be imposed upon, and his nature being made up of very strong passions. Whilst there was tranquillity in the kingdom, he enjoyed his full share in pomp and greatness; the largeness and plentifulness of his fortune being attended with reverence and dependence from the people where his estate and interest lay, and where indeed he was a great man; getting an affection and esteem from persons who had no dependence upon him, by his magnificent living, and discoursing highly of justice, and of the protestant religion; inveighing bitterly against popery, and telling what he used to say to the king; and speaking frankly of the oversights of the court, that he might not be thought a slave to it. He had been bred from his cradle in the court; and had that perfection of a courtier, that as he was not wary enough in offending men, so he was forward in acknowledging it, even to his inferiors, and to impute it to his passion, and ask pardon for it; which made him be thought a well-natured man. Besides, he had an office [m], which, at that time,[n] entitled him to the exercise of some rudeness [o], and the good order of the court had some dependence upon his incivilities.

There were very few great persons in authority,

[m] an office] a choleric office
[n] at that time,] *Not in MS.*
[o] rudeness] rudenesses

who were not frequently offended by him, by sharp and scandalous discourses, and invectives against them, behind their backs; for which they found it best to receive satisfaction by submissions, and professions, and protestations, which was a coin he was plentifully supplied with for the payment of all those debts:[p] whilst the king retained only some kindness for him, without any great esteem[q] of him. But, from the beginning of the parliament, when he saw and heard a people stout enough to inveigh against the king's authority, and to fall upon those persons, whom he had always more feared than loved; and found that there were two armies in the kingdom, and that the king had not the entire command of either of them; when the decrees of the star-chamber, and the orders and acts of the council, in all which he had concurred,[r] were called in question, and like to be made penal to those who would not redeem their past errors by future service; his fear, which was the passion always predominant in him above all his choler and rage, prevailed so far over him, that he gave himself up into the hands of the lord Say, to dispose of him as he thought fit, till the king[s] took the white staff from him, and gave

[p] debts:] *MS. adds:* and his infirmities were so generally known, that men did not think they could suffer in their reputations by any thing he said;

[q] any great esteem] any value and esteem

[r] concurred,] *MS. adds:* as his concurrence was all that he had contributed towards any counsel,

[s] till the king &c.] *This character of lord Pembroke was thus originally continued in MS. B.:* till he committed so many faults and follies, that the king was willing to take advantage of a censure of the house of peers inflicted upon him, for a rash and choleric action he had committed at a private committee that sat in the house, when in a debate he had struck or offered to strike the lord Matravers with his white staff, the other throwing an ink-horn at him; for

BOOK VI. it to the earl of Essex, as hath been related at large before.

1643. From this time, he took himself to be absolved from all obligations and dependence upon the court, which he had lived too long in to be willing to quit; and therefore the more closely adhered to them, by whose power he thought he might get thither again; and, for some time, entertained the hope of obtaining the other superior white staff; which remained then in the king's hand by the departure of the earl of Arundel into the parts beyond the seas. But when he saw that staff given to the duke of Richmond, who was then made lord[t] steward of the household, he gave over those weak imaginations, and concurred roundly in all the lord Say proposed: and was so weak still, as to believe they never meant to rebel against the king; or that the king could long subsist, without putting himself into their hands. When they had any thing to do in the west, as the exercise of the militia, or executing any other ordinance, they sent him into the country, and shewed him to the people, under the conduct of

which unusual and indecent behaviour, the house thought itself obliged to send them both to the Tower, without any imagination that either of them should undergo any other censure, and discharged both within few days: but in the mean time the king had sent for his white staff, declaring, that as he would not suffer it to remain in the Tower, so he would not put it into the hands of a man who had deserved so severe a punishment from the parliament; which they looked upon as no great compliment to them, and were exceedingly troubled, when they saw the office conferred upon the earl of Essex, being very sure, that the one was removed, whatever was pretended, for his concurrence with them, and fearing that the other would concur the less with them for that promotion: and probably they might not have been deceived in that, if any care and dexterity had been used to keep, as well as to get him.

[t] lord] *Not in MS.*

two or three members of the house, in whom they could confide; and he talked "of the king's evil "counsellors, who carried him from his parliament; "and of the malignants; and against scandalous "ministers;" whilst none of his old friends came near him. And when they were resolved no longer to trust the Isle of Wight in the hands of the earl of Portland, who had been long the king's governor there, and had an absolute power over the affections of that people, they preferred the poor earl of Pembroke to it, by an ordinance of parliament; who kindly accepted it, as a testimony of their favour; and so got into actual rebellion, which he never intended to do. It is pity to say more of him, and less could not be said to make him known[u]. 1643.

Of the earl of Essex.

The earl of Essex hath been enough mentioned before; his nature and his understanding have been described; his former disobligations from the court, and then his introduction into it, and afterwards his being displaced from the office he held in it, have been set forth; and there will be occasion, hereafter, to renew the discourse of him; and therefore it shall suffice, in this place, to say, that a weak judgment, and some[x] vanity, and much[y] pride, will hurry a man into as unwarrantable and as violent attempts, as the greatest, and most unlimited, and insatiable ambition will do. He had no ambition of title, or

[u] make him known] *MS. adds:* if any thing were necessary; and it cannot be avoided to mention him again hereafter, there being particular passages between him and the chancellor of the exchequer, who had great kindness for him, whilst he had any hope of reclaiming him, and even when that was desperate, was never without a desire to serve him, having been formerly beholden to him for many civilities, when there was so great a distance between their conditions.

[x] some] a little

[y] much] as much of

BOOK VI. 1643.

office, or preferment, but only to be kindly looked upon, and kindly spoken to, and quietly to enjoy his own fortune: and, without doubt, no man in his nature more abhorred rebellion than he did, nor could he have been led into it by any open or transparent temptation, but by a thousand disguises and cozenages. His pride supplied his want of ambition, and he was angry to see any other man more respected than himself, because he thought he deserved it more, and did better requite it. For he was, in his friendships, just and constant; and would not have practised foully against those he took to be enemies. No man had credit enough with him to corrupt him in point of loyalty to the king, whilst he thought himself wise enough to know what treason was. But the new doctrine, and distinction of allegiance, and of the king's power in and out of parliament, and the new notions of ordinances, were too hard for him, and did really intoxicate his understanding, and made him quit his own, to follow theirs, who, he thought, wished as well, and judged better than himself. His vanity disposed him to be his excellency; and his weakness, to believe that he should be the general in the houses, as well as in the field; and be able to govern their counsels, and restrain their passions, as well as to fight their battles; and that, by this means, he should become the preserver, and not the destroyer, of the king and kingdom. With[z] this ill-grounded confidence, he launched out into that sea, where he met with nothing but rocks and shelves, and from whence he could never discover any safe port to harbour in.

[z] With] And with

1643.

Of the earl of Salisbury.

The earl of Salisbury had been born and bred in court, and had the advantage of a descent from a father, and a grandfather, who had been very wise men, and great ministers of state in the eyes of Christendom; whose wisdom and virtues died with them, and their children only inherited their titles. He had been admitted of the council to king James; from which time he continued so obsequious to the court, that he never failed in overacting all that he was required to do. No act of power was ever proposed, which he did not advance, and execute his part with the utmost rigour. No man so great a tyrant in his country, or was less swayed by any motives of justice or honour. He was a man of no words, except in hunting and hawking[a]. In matters of state and council, he always concurred in what was proposed for the king, and cancelled and repaired all those transgressions, by concurring in all that was proposed against him, as soon as any such propositions were made. Yet when the king went to York, he likewise attended upon his majesty; and, at that distance, seemed to have recovered some courage, and concurred in all counsels which were taken to undeceive the people, and to make the proceedings of the parliament odious to all the world. But, on a sudden,[b] he caused his horses to attend him out of the town, and having placed fresh ones at a distance, he fled back to London,

[a] hawking] *MS. adds:* in which he only knew how to behave himself

[b] But, on a sudden, &c.] *Thus originally in MS.:* And meeting Mr. Hyde one day, he walking with him to advise and consult how they might draw the earl of Pembroke, with whom he had most friendship, to leave the parliament, and betake himself to serve the king; and within two hours after this conference he caused his horses &c.

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with the expedition such men use, when they are most afraid; and never after denied to do any thing that was required of him; and when the war was ended, and Cromwell had put down the house of peers, he got himself to be chosen a member of the house of commons; and sat with them, as of their own body; and was esteemed accordingly[c].

Of the earl of Warwick.

The earl of Warwick was of the king's council too, but was not wondered at for leaving the king, whom he had never well[d] served; nor did he look upon himself as obliged by that honour, which, he knew, was conferred upon him in the crowd of those whom his majesty had no esteem of, or ever purposed to trust; so his business was to join with those to whom he owed his promotion. He was a man of a pleasant and companionable wit and conversation; of an universal jollity; and such a licence in his words, and in his actions, that a man of less virtue could not be found out: so that one[e] might reasonably have believed, that a man so qualified would not have been able to have contributed much to the overthrow of a nation and kingdom. But, with all these faults, he had great authority and credit with that people, who, in the beginning of the troubles, did all the mischief; and by opening his doors, and making his house the rendezvous of all the silenced ministers, in the time when there was authority to silence them, and spending a good part

[c] accordingly] *MS. adds:* In a word, he became so despicable to all men, that he will hardly ever enjoy the ease which Seneca bequeathed him; *Hic egregiis majoribus ortus est, qualiscunque est, sub umbra suorum lateat; ut loca sordida repercussa sole illustrantur, ita inertes majorum suorum luce resplendeant.*

[d] well] *Not in MS.*

[e] one] a man

of his estate, of which he was very prodigal, upon them, and by being present with them at their devotions, and making himself merry with them, and at them, which they dispensed with, he became the head of that party; and got the style of a godly man. When the king revoked the earl of Northumberland's commission of admiral, he presently accepted the office from the parliament; and never quitted their service; and when Cromwell disbanded that parliament, he betook himself to the protection of the protector; married his heir to his daughter; and lived in so entire a confidence and friendship with him, that, when the protector died, he exceedingly lamented him[f]. He left his estate, which before was subject to a vast debt, more improved and repaired, than any man who trafficked in that desperate commodity of rebellion.

Of the earl of Holland.

The earl of Holland had grown up under the shadow of the court, and had been too long a counsellor before, and contributed too much to the counsels which had most prejudiced the crown, to have declined waiting upon it, when it needed attendance. But he chose to stay with the parliament; and there hath been enough said of him before, and more must be said hereafter. And therefore it shall suffice now, to say, that there was a very froward fate attended all, or most of the posterity of that bed, from whence he and his brother of Warwick had their original; though he, and some others among them, had many very good parts and excellent endowments.

[f] that, when the protector died, he exceedingly lamented him] *Thus in MS.*: that when he died he had the honour to be exceedingly lamented by him; and left &c.

BOOK VI.

1643.

Of the earl of Manchester.

The earl of Manchester, of the whole cabal, was, in a thousand respects, most unfit for the company he kept. He was of a gentle and a generous nature; civilly bred; had reverence and affection for the person of the king, upon whom he had attended in Spain; loved his country with too unskilful a tenderness; and was of so excellent a temper and disposition, that the barbarous times, and the rough parts he was forced to act in them, did not wipe out, or much deface, those marks: insomuch as he was never guilty of any rudeness towards those he was obliged to oppress, but performed always as good offices towards his old friends, and all other persons, as the iniquity of the time, and the nature of the employment he was in, would permit him to do; which kind of humanity could be imputed to very few.

He[g] was at last dismissed, and removed from any trust, for no other reason, but because he was not wicked enough. He married first into the family of the duke of Buckingham, and, by his favour and interest, was called to the house of peers in the life of his father; and made baron of Kimbolton, though he was commonly treated and known by the name of the lord Mandevile; and was as much addicted to the service of the court as he ought to be. But the death of his lady, and the murder of that great favourite, his second marriage with the daughter of the earl of Warwick, and the very narrow and restrained maintenance, which he received from his father, and which would in no degree defray the expenses of the court, forced him too soon to

[g] He] and he

retire to a country life, and totally to abandon both the court and London; whither he came very seldom in many years. And in this retirement, the discountenance which his father underwent at court, the conversation of that family into which he was married, the bewitching popularity, which flowed upon him with a wonderful torrent, and [h] the want of those guards which a good education should have supplied him with, by the clear notion of the foundation of the ecclesiastical, as well as the civil government, made a great impression upon his understanding, (for his nature was never corrupted, but remained still in its integrity,) and made him believe that the court was inclined to hurt, and even to destroy the country; and from particular instances to make general and dangerous conclusions. They who had been always enemies to the church prevailed with him to lessen his reverence for it, and having not been well instructed to defend it, he yielded too easily to those who confidently assaulted it; and thought it had great errors, which were necessary to be reformed; and that all means are lawful to compass that which is necessary. Whereas the true logic is, that the thing desired is not necessary, if the ways are unlawful, which are proposed to bring it to pass. No man was courted with more application, by persons of all conditions and qualities; and his person was not less acceptable to those of steady and uncorrupted principles, than to those of depraved inclinations. And in the end, even his piety administered some excuse to him; for his father's infirmities and transgressions had so far exposed him

1643.

[h] and] with

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to the inquisition of justice, that the son[i] found it necessary to procure the assistance and protection of those who were strong enough to violate justice itself; and so he adhered to those who were best able to defend his father's honour, and thereby to secure his own fortune; and concurred with them in their most violent designs, and gave reputation to them. And the court as unskilfully took an occasion too soon to make him desperate, by accusing him of high treason, when (though he might be guilty enough) he was, without doubt, in his intentions, at least, as innocent as any of the leading men.

It is[k] some evidence, that God Almighty saw his heart was not so malicious as the rest, that he preserved him to the end of the confusion; when he appeared as glad of the king's restoration, and had heartily wished it long before, and very few, who had a hand in the contrivance of the rebellion, gave so manifest tokens of repentance as he did; and having, for many years, undergone the jealousy and hatred of Cromwell, as one who abominated the murder of the king, and all the barbarous proceedings against the lives of men in cold blood; the king upon his return received him into grace and favour, which he never after[l] forfeited by any undutiful behaviour.

Of the lord Say.

The last of those counsellors which were made after the faction prevailed in parliament, who were all made to advance an accommodation, and who adhered to the parliament, was the lord Say; a man, who had the deepest hand in the original contrivance of all the calamities which befell this unhappy king-

[i] the son] he [k] It is] And it is [l] after] *Omitted in MS.*

dom, though he had not the least thought of dissolving the monarchy, and less of levelling the ranks and distinctions of men. For no man valued himself more upon his title, or had more ambition to make it greater, and to raise his fortune, which was but moderate for his title. He was of a proud, morose, and sullen nature; conversed much with books, having been bred a scholar, and (though nobly born) a fellow of New College in Oxford; to which he claimed a right, by the alliance he pretended to have from William of Wickham, the founder; which he made good by a far-fetched pedigree, [m] through so many hundred years, half the time whereof extinguishes all relation of kindred. However upon that pretence, that college hath been seldom without one of that lord's family. His parts were not quick, but so much above many [n] of his own rank, that he had always great credit and authority in parliament; and the more, for taking all opportunities to oppose the court; and he had, with his milk, sucked in an implacable malice against the government of the church. When the duke of Buckingham proposed to himself, after his return with the prince from Spain, to make himself popular, by breaking that match, and to be gracious with the parliament, as for a short time he was, he resolved to embrace the friendship of the lord Say; who was as solicitous to climb by that ladder. But the duke quickly found him of too imperious and pedantical a spirit, and to affect too dangerous mutations; and so cast him off; and from that time he gave over any pur-

1643.

[m] a far-fetched pedigree,] such an unreasonable pedigree,

[n] many] those

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suit in court, and lived narrowly [o] in the country; having conversation with very few, but such who had great malignity against the church and state, and fomented their inclinations, and gave them instructions how to behave themselves with caution, and to do their business with most security; and was in truth the pilot, that steered all those vessels which were freighted with sedition to destroy the government.

He found always some way to make professions of duty to the king, and made several undertakings to do great services, which he could not, or would not, make good; and made haste to possess himself of any preferment he could compass, whilst his friends were content to attend a more proper conjuncture. So he got the mastership of the wards shortly after the beginning of the parliament, and was as solicitous to be treasurer after the death of the earl of Bedford; and, if he could have satisfied his rancour in any degree against the church, he would have been ready to have carried the prerogative as high as ever it was. When he thought there was mischief enough done, he would have stopped the current, and have diverted farther fury; but he then found he had only authority and credit to do hurt; none to heal the wounds he had given; and fell into as much contempt with those whom he had led, as he was with those whom he had undone.

Of sir Henry Vane the elder.

The last of the counsellors who stayed with the parliament was sir Henry Vane; who had so much excuse for it, that, being thrown out of court [p], he had no whither else to go; and promised himself to

[o] narrowly] narrowly and sordidly

[p] court,] the court,

be much made of by them, for whose sakes only he had brought that infamy upon himself. He was of very ordinary parts by nature, and had not cultivated them at all by art; for he was illiterate. But being of a stirring and boisterous disposition, very industrious, and very bold, he still wrought himself into some employment. He had been acquainted with the vicissitudes of court, and had undergone some severe mortification, by the disfavour of the duke of Buckingham, in the beginning of the king's reign. But the duke was no sooner dead, (which made it believed that he had made his peace in his lifetime, for the king was not, in a long time after, reconciled to any man who was eminently in the duke's disfavour,) but he was again brought into the court, and made a counsellor, and controller of the household; which place he became well, and was fit for; and if he had never taken other preferment, he might probably have continued a good subject. For he had not [q] inclination to change, and in his judgment he had liked [r] the government both of church and state; and only desired to raise his fortune, which was not great, and which he found many ways to improve. And he was wont to say, "that "he never had desired other preferment; and be- "lieved, that marquis Hamilton," (with whom he had never kept fair quarter,) "when he first pro- "posed to him to be secretary of state, did it to af- "front him; well knowing his want of ability for "the discharge of that office." But, without doubt, as the fatal preferring him to that place was of unspeakable prejudice to the king, so his receiving it

[q] not] no

[r] and in his judgment he had liked] and the judgment he had, liked

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was to his own destruction. His malice to the earl of Strafford (who had unwisely provoked him, wantonly, and out of contempt) transported him to all imaginable thoughts of revenge; which is a guest, that naturally disquiets and tortures those who entertain it, with all the perplexities they contrive for others; and that disposed him to sacrifice his honour and faith, and his master's interest, that he might ruin the earl, and was buried himself in the same ruin; for which being justly chastised by the king, and turned out of his service, he was left to his own despair; and, though he concurred in all the malicious designs against the king, and against the church, he grew into the hatred and contempt of those who had made most use of him; and died in universal reproach, and not contemned more by any of his enemies, than by his own son; who had been his principal conductor to destruction.

We now pass to the transactions in the treaty itself, which was in the beginning of the year 1643.

THE END OF THE SIXTH BOOK.

APPENDIX.

APPENDIX, A.

REFERRED TO IN PAGE 71.

Lord Littleton, lord keeper.
Earl of Cumberland.
Earl of Salisbury.
Earl of Bristol.
Earl of Monmouth.
Earl of Newport.
Lord Howard of Charlton.
Lord Rich.
Lord Dunsmore.

Duke of Richmond.
Earl of Bath.
Earl of Northampton.
Earl of Clare.
Earl of Rivers.
Lord Mowbray & Matra.
Lord Newark.
Lord Savil.
Lord Seymour.

Marquis of Hertford.
Earl of Southampton.
Earl of Devonshire.
Earl of Westmoreland.
Earl of Dover.
Lord Willoughby of Eresby.
Lord Paulett.
Lord Mohun.
Lord Capell.

Earl of Lindsey.
Earl of Dorset.
Earl of Cambridge.
Earl of Berkshire.
Earl of Carnarvon.
Lord Grey of Ruthen.
Lord Lovelace.
Lord Coventry.

Lord Falkland.

Sir P. Wich, controller.
Sir Joh. Culpeper, c. exch.

Secretary Nicholas.
Lord chief justice Bankes.

APPENDIX, B.

REFERRED TO IN PAGE 90.

THE king finding that they proceeded with their usual vigour to increase their power, and that, notwithstanding his proclamation against the execution of the ordinance for the militia, and his declaration against the propositions for plate, money, and horses, they made a wonderful progress in both, declaring his proclamations to be illegal; and confidently promising to save all men harmless who should join or concur with them; and that whilst he relied upon the laws to defend his right and prerogative, the laws themselves stood equally in want of defence.

His majesty resolved, without raising any other force, to exercise his own lawful power over the settled militia of the kingdom; and because the usual commissions to lord lieutenants of counties had been blasted by the votes of the two houses as illegal, by the advice of his counsel learned in the law, he resolved to issue out commissions of array, grounded upon a statute made in the fifth year of king Henry the Fourth, and in the very words in Latin prescribed by that statute, whereby the persons named and authorized in that commission had power to arm, marshal, and conduct all such within that county, who were able to bear arms, and fit for the service of the war; but by special instructions under his majesty's hand, annexed to each commissioner, only the train-bands were appointed to be trained, and in readiness with such volunteers who were willing to be listed under gentlemen of quality and integrity, whom the commissioners had power to make colonels or captains over them: and thus commissions of array were issued into the next adjacent counties, where they were most busy in the

execution of the ordinance; and others prepared for the more remote parts; that for the county of Leicester, being the first, bearing date the 11th day of June. This was no sooner known, and known it was, and was to be very quickly, but the lords and commons published their votes of the 18th and 20th of June month, (so little time they took to inquire into the law,) that the commission of array for Leicester was against law, and against the liberty and property of the subject; to which, two days after, according to their method of improving the sense of the house, they added, that all those that were actors in the putting of the commission of array in execution should be esteemed as disturbers of the peace of the kingdom, and betrayers of the liberty of the subject; which votes, together with the commission of array, (that so all other commissions might be examined by it in the counties to which they were sent,) they caused to be forthwith printed and published throughout the kingdom. This vote of the illegality had the greater authority amongst the people, because it passed with the consent and by the industry of some of whose learning and integrity they had a good assurance; and who, at the same time, with more confidence and passion, opposed the execution of the ordinance of the militia as at least equally unlawful: and the truth is, I have reason to believe, (though I presume they were likewise persuaded in their conscience that the commission of array was not according to the intention of the law,) that their confidence, that by arguing against that commission they should clearly evince the exorbitancy and extravagancy of the ordinance, (as indeed every argument against the one was a demonstration against the other,) and it may be some assurance from some leaders, who served their turns always by making private promises and undertakings, that the one being suppressed, the other should be declined, engaged them to a greater activity in it than otherwise they were inclined to; for they were punctual observers of the laws and customs of the kingdom, and heartily abhorred the violent and seditious humours which then governed; and therefore never con-

curred to the second vote of declaring the commissioners disturbers of the peace, and betrayers of the liberty of the subject.

What was said by the lawyers of either side, against the one and the other, and in maintenance of what themselves advised, and how the law was understood to be in that point of the militia, by those who sadly and dispassionately weighed it with the constitution of the kingdom, shall be in another place at large set down, with the discussion of other things of the same nature. For the better manifesting the matters of right, throughout these fatal contentions, it will be here only necessary to add, that neither party thought fit to rest satisfied with the arguments which were applied against it. But the king resolved, if they proceeded in their ordinance, to execute his commission of array, which he hoped would at least produce that doubt and suspension in the people's minds, that they would not cheerfully submit to either, but keep themselves in the quiet posture they were in, without interrupting the public peace; and that was the wished fruit to be expected. The houses, on the other side, were confident of their own power, (at least they thought it necessary to put it to the utmost test,) and that their votes were sufficient to cancel the commission of array, and the execution of their ordinance was the only way to invest them in the possession of the militia, without which they entertained no hope of compassing their designs; and so made all possible haste to advance that great work.

They had from the king's first coming to York used all possible endeavour by their underhand agents, and afterwards by their committee resident there, to corrupt and infect the people of that county with the same apprehensions and jealousies by which they were governed, that his majesty might receive some discouragement in his confidence in the affection of that people; and to that purpose some obscure but active people had at all meetings discovered some averseness from that alacrity generally shewed by the gentry and men of quality to the king's service, and dislike

of the proceedings of parliament: and at the great and general convention of the whole county near York, about the beginning of June, where they shewed all imaginable affection and sense of the ill usage his majesty underwent, sir Thomas Fairfax, (better known since than he was then,) attended with very few, and those of very mean quality, offered in the public place of meeting to present a petition to the king, which his majesty (being informed that the same was not prepared by any consent of the county, but in a clandestine way by a few factious persons) received not; of which immediately the houses taking notice, and for the support and encouragement of their party there, sent a petition, solemnly presented by their committee, to the king, in these words:

To the king's most excellent majesty,

The humble petition of the lords and commons in parliament assembled.

The parliament's petition to the king, in favour of the Yorkshire petition; which he had refused.

" Your majesty's most humble and faithful subjects, " the lords and commons assembled in parliament, have " lately received a petition from a great number of the gen- " try, freeholders, and other inhabitants of the county of " York, assembled there by your majesty's command, the " 3d of June; wherein they declare unto us, that, having " taken a resolution to address themselves unto your ma- " jesty in the humble way of a petition, for the redress of " those grievances which they now lie under, they were vi- " olently interrupted and affronted therein by the earl of " Lindsey, the lord Saville, and others; and notwithstand- " ing all the means they could use to present their just de- " sires to your majesty, yet they could not prevail with your " majesty to accept of their petition; the copy whereof they " have sent to us, with an humble desire that we would " take such course therein as may tend to the preservation " of their liberties, and the peace of the kingdom; and that " we would address ourselves to your majesty in their be- " half, that, by our means, their desires may find better " acceptation with your majesty.

"Whereupon having seriously weighed and considered "the particulars of those their complaints and desires, as "they are laid down in their petition; and finding that the "grievances they complain of are the increase of the mi- "series formerly sustained by that county, (which hath, "well nigh for three years last past, been the tragical stage "of armies and war,) by reason of your majesty's distance "in residence, and difference in counsels, from your great "council the parliament, begetting great distempers and "distractions throughout the kingdom, and especially in "that county; the drawing to those parts great numbers of "discontented persons, that may, too justly be feared, affect "the public ruin for their private advantage; the drawing "together of many companies of trained bands, and others, "both of horse and foot, of that county, and retaining mul- "titudes of commanders and cavaliers from other parts; the "daily resort of recusants to your majesty's court at York; "the great preparations of arms and other warlike provi- "sions, to the great terror and amazement of your majesty's "peaceable subjects, and causing a great decay of trade "and commerce amongst them: all and every of which par- "ticulars are against the law, which your majesty hath "made so many and so frequent professions to uphold and "maintain:

"The lords and commons finding, on the other side, their "humble desires to be, that your majesty would hearken to "your parliament, and, declining all other counsels what- "soever, unite your confidence to your parliament; and "that your majesty would not divide your subjects joint "duty to your majesty, the parliament, and kingdom; nor "destroy the essence of your great council and highest "court, by subjecting the determinations and counsels "thereof to the counsels and opinions of any private person "whatsoever; that your majesty having passed an act that "this parliament shall not be dissolved but by act of par- "liament, your majesty would not do any thing tending "thereunto, by commanding away the lords and great offi- "cers, whose attendance is necessary thereunto: and that

" your majesty, having expressed your confidence in the af-
" fections of that county, would please to dismiss your ex-
" traordinary guards, and the cavaliers and others of that
" quality, who seem to have little interest or affection to the
" public good; their language and behaviour speaking no-
" thing but division and war, and their advantage consisting
" in that which is most destructive to others:

" And, lastly, That, in such consultations and proposi-
" tions as your majesty maketh to that county, such may
" not be thrust upon them as men of that county, that nei-
" ther by their fortune or residence are any part of it.

" All which their humble and most just desires being ac-
" cording to law, which your majesty hath, so often, de-
" clared should be the measure and rule of your govern-
" ment and actions: and we, your majesty's most faithful
" subjects, the lords and commons, fully concurring with
" the gentlemen and others of the county of York, in their
" assurance that those desires of theirs will abundantly re-
" dound to the glory of God, the honour and safety of your
" majesty, the good of your posterity, and the peace and
" prosperity of this kingdom, do humbly beseech your ma-
" jesty graciously to hearken unto them, and to grant them;
" and that you would join with your parliament in a speedy
" and effectual course for the preservation of their liberties
" and the peace of the kingdom, which duty, as we are now
" called upon by that county to discharge, so do we stand
" engaged to God and man for the performance thereof, by
" the trust reposed in us, and by our solemn vow and pro-
" testation; and your majesty, together with us, stands en-
" gaged by the like obligation of trust, and of an oath, be-
" sides the many and earnest professions and protestations
" which your majesty hath made to this purpose, to your
" whole kingdom in general, and to that county in particu-
" lar; the peace and quiet of this kingdom (as is well ob-
" served by those gentlemen and freeholders of Yorkshire
" in their petition) being the only visible means, under God,
" wherein consists the preservation of the protestant religion,
" the redemption of our brethren in Ireland, and the happi-

" ness and prosperity of your majesty, and of all your do-
" minions."

The king's answer to the foregoing petition of both houses.

His majesty's answer.

" HIS majesty hath carefully weighed the matter of this
" petition, presented to him at York, on Friday the 17th
" of June, by the lord Howard, sir Hugh Cholmely, and
" sir Philip Stapleton: and though he might refer the peti-
" tioners to his two last declarations, wherein most of the
" particulars in this petition are fully answered, or might
" refuse to give any answer at all, till he had received satis-
" faction in those high indignities he hath so often com-
" plained of, and demanded justice for; yet, that all the
" world may see how desirous his majesty is to leave no act,
" which seems to carry the reputation of both his houses of
" parliament, and in the least degree to reflect upon his ma-
" jesty's justice and honour, unanswered, is graciously
" pleased to return this answer:

" That if the petition, mentioned to be presented to both
" houses of parliament, had been annexed to this now deli-
" vered to him, his majesty might have discerned the num-
" ber and the quality of the petitioners, which his majesty
" hath great reason to believe was not in truth so considera-
" ble as is pretended; for his majesty assures you, that he
" hath never refused any petition so attested as that would
" be thought to be: but his majesty well remembers, that
" on the third of June, when there was, upon his majesty's
" summons, the greatest and most cheerful concourse of
" people that ever was beheld of one county, appearing be-
" fore him at York, a gentleman (one sir Thomas Fairfax)
" offered, in that great confluence, a petition to his majesty;
" which his majesty, seeing to be avowed by no man but
" himself, and the general and universal acclamations of the
" people seeming to disclaim it, did not receive; conceiving
" it not to be of so public a nature, as to be fit to be pre-
" sented or received in that place. And his majesty is most
" confident (and in that must appeal to those who were then
" present) that whatever the substance of that petition was,

" it was not consented to by any considerable number of " gentry or freeholders of this county; but solicited by a " few mean inconsiderable persons, and disliked and visibly " discountenanced by the great body of the known gentry, " clergy, and inhabitants of this whole county. And if the " matter of that petition were such as is suggested in this, " his majesty hath great reason to believe it was framed and " contrived (as many others of such nature have been) in " London, not in Yorkshire. For sure no gentleman of " quality and understanding, of this county, would talk of " his great preparations of arms, and other warlike provi- " sions, to the great terror and amazement of his peaceable " subjects, when they are witnesses of the violent taking his " arms from him, and stopping all ways for bringing more " to him: and if there were no greater terror and amaze- " ment of his majesty's peaceable subjects, in other places, " by such preparations and provisions, there would be no " more cause to complain of a great decay of trade and com- " merce there, than is in this place: but his majesty hath " so great an assurance of the fidelity and general affections " of his good subjects of this county, (which he hopes will " prove exemplary over his whole kingdom,) that he hath " great cause to believe, that they do rather complain of his " majesty's confidence, and of his slowness; that whilst " there is such endeavour abroad to raise horse, and to pro- " vide arms against his majesty, and that endeavour put in " execution, his majesty trusts so much to the justice of his " cause and the affections of his people, and neglects to pro- " vide strength to assist that justice, and to protect those " affections. For any affronts offered, by the earl of Lind- " sey and the lord Saville, to those who intended to petition " his majesty, his majesty wishes that both his houses of " parliament would have examined that information, and " the credit of the informers, with that gravity and delibe- " ration, as in cases which concern the innocence and honour " of persons of such quality hath been accustomed; before " they had proscribed two peers of the realm, and exposed " them (as much as in them lay) to the rage and fury of

" the people, under the character of being enemies to the
" commonwealth; a brand newly found out (and of no le-
" gal signification) to incense the people by, and with which
" the simplicity of former times was not acquainted: and
" then his majesty hath some reason to believe they would
" have found themselves as much abused in the report con-
" cerning those lords, as he is sure they are in those which
" tell them of the resort of great numbers of discontented
" persons to him, and of the other particulars, mentioned to
" be in that petition: whereas they who observe what resort
" is here to his majesty, well know it to be of the prime
" gentlemen of all the counties in England; whom nothing
" but the love of religion, the care of the laws and liberties
" of the kingdom, besides their affection to his person,
" could engage in so great journeys, trouble, and expense:
" men of as precious reputation, and as exemplary lives, as
" this nation hath any; whose assistance his majesty knows
" he must not expect, if he should have the least design
" against honour and justice; and such witnesses his ma-
" jesty desires to have of all his actions.

" For the declining all other counsels, and the uniting
" of his confidence to his parliament, his majesty desires
" both his houses of parliament seriously and sadly to con-
" sider, that it is not the name of a great or little council
" that makes the results of that council just or unjust; nei-
" ther can the imputation upon his majesty, of not being
" advised by his parliament, (especially since all their ac-
" tions and all their orders are exposed to the public view,)
" long mislead his good subjects, except in truth they see
" some particular sound advice, necessary to the peace and
" happiness of the commonwealth, disesteemed by his ma-
" jesty; and such an instance, he is most assured, neither
" can nor shall be given: and that they will think it merit
" in his majesty, from the commonwealth, to reject such
" counsel as would persuade him to make himself none of
" the three estates; and by giving up his negative voice, to
" allow them a power superior to that which the law hath
" given him, whensoever it pleaseth the major part, present,

" of both houses to say, that he doth not discharge his trust " as he ought; and to subject his and his subjects' unques- " tionable right and property to their votes, without and " against law, upon the mere pretence of necessity. And " his majesty must appeal to all the world who it is that en- " deavours to divide the joint duty of his subjects; his ma- " jesty, who requires nothing but what their own duty, " guided by the infallible rule of the law, leads them to do; " or they, who by orders and votes (opposite and contra- " dictory to law, custom, precedent, and reason) so confound " the affections and understandings of his good subjects, " that they know not how to behave themselves with ho- " nesty and safety; whilst their conscience will not suffer " them to submit to the one, nor their security to apply " themselves to the other.

" It is not the bare saying, that his majesty's actions are " against the law, (with which he is reproached in this pe- " tition, as if he departed from his often protestations to " that purpose,) must conclude him; there being no one " such particular in that petition alleged, of which his ma- " jesty is in the least degree guilty. Whether the same " reverence and esteem be paid by you to the law (except " your own votes be judges) needs no other evidence than " those many, very many, orders, published in print, both " concerning the church and state; those long imprison- " ments of several persons, without hearing them, upon ge- " neral information; the great, unlimited fees to your offi- " cers, worse than the imprisonment, and the arbitrary cen- " sure upon them when they are admitted to be heard: let " the law be judge by whom it is violated.

" For that part of the petition which seems to accuse his " majesty of a purpose to dissolve this parliament, (contrary " to the act for the continuance,) by commanding away the " lords and great officers, whose attendance is necessary; " this his majesty well knows to be a new calumny, by " which the grand contrivers of ruin for the state hope to " seduce the minds of the people from their affection to, or " into jealousy of, his majesty; as if he meant, this way, to

" bring this parliament (which may be the case of all par-
" liaments) to nothing. It is not possible for his majesty
" more to express his affection to and his resolution for the
" freedom, liberty, and frequency of parliaments, than he
" hath done: and whoever considers how visible it must be
" to his majesty, that it is impossible for him to subsist with-
" out the affections of his people, and that those affections
" cannot possibly be preserved, or made use of, but by par-
" liaments, cannot give the least credit, or have the least
" suspicion, that his majesty would choose any other way to
" the happiness he desires for himself and his posterity, but
" by parliaments.

" But for his calling the lords hither, or any others ab-
" senting themselves who have not been called, whoever
" considers the tumults (which no votes or declaration can
" make to be no tumults) by which his majesty was driven
" away, and many members of either house in danger of
" their lives; the demanding of the names of those lords,
" who would not consent to their propositions, by a message
" from the house of commons delivered at the bar by Mr.
" Holles; with that most tumultuous petition in the name
" of many thousands, (among many others of the same kind,)
" directed to the house of commons, and sent up by them
" to the house of lords, taking notice of the prevalency of a
" malignant faction which made abortive all their good mo-
" tions that tended to the peace and tranquillity of the king-
" dom; desiring that those noble worthies of the house of
" peers, who concurred with them in their happy votes,
" might be earnestly desired to join with that honourable
" house, and to sit and vote as one entire body; professing,
" that unless some speedy remedy were taken for the re-
" moval of all such obstructions as hindered the happy pro-
" gress of their great endeavours, their petitioners should
" not rest in quietness; but should be enforced to lay hold
" of the next remedy which was at hand, to remove the dis-
" turbers of their peace; and (want and necessity breaking
" the bounds of modesty) not to leave any means unessayed
" for their relief: adding, that the cry of the poor and

" needy was, that such persons who were the obstacles of
" their peace, and hinderers of the happy proceedings of
" this parliament, might be forthwith publicly declared;
" whose removal, they conceived, would put a period to
" these distractions. Upon which, a great number of lords
" departing, the vote, in order to the ordinance concerning
" the militia, was immediately passed; though it had been
" twice before put to the question, and rejected by the votes
" of much the major part of that house. And whoever con-
" siders the strange orders, votes, and declarations which
" have since passed, to which whosoever would not consent,
" that is, with freedom and liberty of language protest
" against, was in danger of censure and imprisonment, will
" not blame our care in sending for them, or theirs in com-
" ing, or absenting themselves from being involved in such
" conclusions. Neither will it be any objection, that they
" stayed there long after any tumults were, and therefore
" that the tumults drave them not away: for if every day
" produced orders and resolutions as illegal as, and indeed
" but the effects of, the tumults, there was no cause to
" doubt the same power would be ready to prevent any op-
" position to those orders after they were made, which had
" made way and preparation for the proposition of them;
" and so whosoever conceived himself in danger of future
" tumults (against which there is not the least provision)
" was driven away by those which were past. And his ma-
" jesty hath more reason to wonder at those who stay be-
" hind, after all his legal power is voted from him, and all
" the people told that he might be, with modesty and duty
" enough, deposed, than any man hath at those who have
" been willing to withdraw themselves from the place where
" such desperate and dangerous positions are avowed.
" This his majesty doth not mention, with the least thought
" of lessening the power or validity of any act to which he
" hath given his assent this parliament; all and every of
" which he shall as inviolably observe, as he looks to have
" his own rights preserved; but to shew by what means so
" many strange orders have of late been made; and to shew

" how earnestly his majesty desires to be present with, and
" receive advice from, both houses of parliament, (against
" whom it shall never be in the power of a malignant party
" to incense him,) his majesty again offers his consent, that
" both houses may be adjourned to any other place which
" may be thought convenient, where his majesty will be pre-
" sent, and doubts not but the members of either house will
" make a full appearance; and even the intermission, which
" must attend such an adjournment, may not be the least
" means of recovering that temper which is necessary for
" such debates.

" And this his majesty conceives to be so very necessary,
" that if the minds and inclinations of every member of ei-
" ther house were equally composed, the licence is so great
" that the mean people about London and the suburbs have
" taken, that, both for the liberty and dignity of parliament,
" that convention, for a time, should be in another place.
" And sure, how much soever the safety and security of
" this kingdom depends on parliaments, it will never be
" thought that those parliaments must of necessity be at
" Westminster.

" His majesty's confidence is no less than he hath ex-
" pressed (and hath great cause to express) in the affections
" of this county; an instance of which affections all men
" know his guard (which is not extraordinary) to be; and
" wonders that such a legal guard, at his own charge, for
" his person, (within twenty miles of a rebellion, and of an
" army in pay against him,) should be objected to by those,
" who, for so many months, and in a place of known and
" confessed security, have, without and against law, kept a
" guard for themselves, at the charge of the commonwealth,
" and upon that stock of money which was given for the re-
" lief of the miserable and bleeding condition of Ireland, or
" the payment of the great debt due to our kingdom of
" Scotland.

" For the resort of papists to the court; his majesty's
" great care for the prevention thereof is notoriously known:
" that when he was informed two or three of his intended

" guard were of that religion, he gave special directions, " with expressions of his displeasure, that they should be " immediately discharged; and provided that no person " should attend on him, under that relation, but such as " took the oaths of allegiance and supremacy; that he com- " manded the sheriff to proceed with all severity, according " to the law, against all papists that should come within five " miles of the court; and if, notwithstanding this, there be " any papists near the court, (which his majesty assures you " he knows not, nor hath heard, but by this petition,) he " doth hereby command them to depart; and declares to " all officers and ministers of justice, that they shall proceed " strictly against them, according to the law, and as they " will answer the contrary at their perils.

" For the language and behaviour of the cavaliers, (a " word, by what mistake soever, it seems, much in disfavour,) " there hath not been the least complaint here: and there- " fore it is probable the fault was not found in this county. " Neither can his majesty imagine what is meant by the " mention of any men thrust upon them, in such consulta- " tions and propositions as his majesty makes to this county, " who are neither by their fortune or residence any part of " it; and therefore he can make no answer to it.

" To conclude: his majesty assures you, he hath never " refused to receive any petition, (whether you have or not, " yourselves best know,) and wills you to consider what re- " putation it will be to you of justice or ingenuity, to re- " ceive all petitions, how senseless and scandalous soever, of " one kind, under the pretence of understanding the good " people's minds and affections; and not only refuse the pe- " tition, but punish the petitioners of another kind, under " colour that it is a crime, that they are not satisfied with " your sense; as if you were only trusted by the people of " one opinion, to take all pains to publish and print peti- " tions which agree with your wishes, though they were ne- " ver presented; and to use the same industry and autho- " rity to keep those, that indeed were presented and avowed, " from being published, (though by our own authority,) be-

" cause the argument is not pleasant to you; to pretend " impartiality and infallibility, yet to express the greatest " passion and affection in the order of your proceedings, and " no less error and misunderstanding in your judgments and " resolutions.

" He doth remember well the obligation of his trust and " of his oath; and desires that you will do so too, and your " own solemn vow and protestation; and then you will not " only think it convenient, but necessary, to give his ma- " jesty a full reparation for all the scandals laid upon him, " and all the scandalous positions made against him; and " that it is less dishonour to retract errors, than, by avow- " ing, to confess the malice of them; and will see this to be " the surest way for the preservation of the protestant reli- " gion, the redemption of your brethren in Ireland, the hap- " piness and prosperity of yourselves, and all our domi- " nions, and of the dignity and freedom of parliament."

APPENDIX, C.

REFERRED TO IN PAGE 107.

MR. Edward Villiers was appointed to deliver the revocation to the earl of Northumberland, and Mr. May was to deliver the letters to the several captains of the fleet, and the full despatches were delivered to the messengers. But sir John Pennington, upon the second thoughts, caused the whole despatch to be altered, when the messengers were upon their horses. His first exception was not unreasonable: it was a long journey from York to the fleet, and it was to be made in a short time. For as soon as the revocation should be delivered to the earl of Northumberland, it was discerned, that if the fleet were not secured at the same time, there would quickly be sent new orders from the parliament. The weather was very hot, being about the beginning of July, and sir John Pennington was not young, nor had been used much to riding: if he should fall sick upon the way, or be taken prisoner, which was probable enough, the captains, having no other directions in their letters, but to follow his orders, would not know what to do: and therefore he desired the king that every captain might be required in his letter, immediately upon receipt of it, to weigh his anchors, and to make all possible [haste] to Burlington Bay, where they should receive further orders. The reasons for this advice were very good, and the letters were all prepared accordingly in a short time. But the reasons which he gave were not the reasons which moved him. He had no mind to expose himself, in the first shock, to the personal undertaking to dispossess the earl of Warwick, and prevailed with the king (who suspected no such thing) to give him leave, if he found any indisposition of health,

upon so long a journey made in so short a time, to rest at the seaside, and to send sir Harry Palmer, who was comptroller of the navy, and of unquestionable loyalty to the king, to take possession of the fleet, and to observe his directions, till he could himself come to him; which was absolutely the ruin of the service, as will appear anon. But the king, who knew his fidelity, that never deceived him, had an extraordinary opinion of his other abilities, never made scruple of granting his desire, without so much as communicating to the rest, who had prepared the several despatches; and so, after the loss of four and twenty hours, Mr. Villiers prosecuted his journey to London; and sir John Pennington and Mr. May took the nearest way together, to that part of Essex which was nearest the Downs, and to the place where they looked to find sir H. Palmer. The earl of Northumberland received the revocation with that gravity and duty that became him; said he did obey it, and wished that it might prove to the good of the king's service; and gave immediate directions for the quitting and removing all those marks and ensigns which attended and were used by the person of admiral of England. The parliament looked upon it with the usual insolence, as a new affront and assault upon their authority, and exceedingly importuned the earl to receive and continue in the office by their grant and an ordinance of both houses. But they could not prevail with him, who thought it not agreeable to his honour to hold the possession of an office against the king's will, from whose bounty he had received it; and they forbore pressing, or being angry with his refusal; which was a respect they would have given to no other man, well knowing that it was much easier to mislead than to convert him, and that they should still have advantage from his concurrence in other things, though not in this: and so they immediately made the earl of Warwick high admiral of England by their ordinance; and used all possible expedition in sending it to him, at the fleet, together with a declaration to the seamen, by which they obliged them to continue firm to their service, and to an entire obedience to

the earl of Warwick, both which were sent by some of their own members. Sir John Pennington made not so much haste, but first sent Mr. May, and then sir H. Palmer, on board the fleet, to feel the pulses, and, upon pretence of indisposition, concealed himself at land. When Mr. May came thither, he found the conjuncture more favourable than he could expect. The weather being very fair, the earl of Warwick was that day gone on shore to a jolly dinner, in which he naturally took great delight, at a gentleman's house, who lived five or six miles from the shore, and had taken several of the officers with him; so that he had time and opportunity to deliver all his letters to the several captains, many of whom received them with all alacrity, as orders they had expected: and there seemed great reason to believe, that if sir John Pennington had been then present, who had a greater interest in the common seamen than any other person, having commanded them so many years, he might have carried all the fleet whither he would. Batten, whom the king had made surveyor of his navy, was vice-admiral of the fleet, and commanded in chief during the absence of the earl, and upon whom the parliament's confidence was placed as much at least as in the earl. He was a man of a rough nature, and no breeding but that of a common mariner, from whence he came to be master of a ship in the service of the merchants; in which he had made many long voyages with good success, and with the reputation of courage and conduct: from which station he was, by the mistake of that time, raised to the king's service. He received the king's letter with his natural rudeness, and without speaking a word; but instantly sent a trusty messenger on shore, to let the earl know what was fallen out, and calling those about him of whom he was most confident, they sent their emissaries on board those ships whose officers were most suspected to be at the king's devotion, to dispose the common seamen to disobey their commands. But this poison would not have wrought so soon, if the captains, who were well resolved, had done their parts, and immediately weighed their anchors, and stood with their ships to

the north, without considering any thing but the performance of their own duties, according to the directions they had received. But being men of no understanding and parts, how good soever their affections were, they wasted time in sending one to another, whose resolutions they were acquainted with, making no doubt but that they could execute their part at any time. Sir John Mennes, who was of clear and unalterable affection, which appeared on all occasions, and was of much the best parts amongst them, was at that time on shore with the earl of Warwick; and they had a great desire to have him, who was rear-admiral of the fleet, in their company; and they had heard some mention of sir John Pennington to be on the shore, ready to come to them, all which disturbed or delayed the execution of what they resolved to do. So that the earl of Warwick, who made all the haste he could after the advertisement, found his fleet still together, with what irresolutions soever divided, suffered not sir John Mennes to go to his own ship, but took him with him on board the admiral, whither he sent for all the captains to attend him: and he had not been long there, when his new commission and declaration were brought to him by members of parliament; which he made haste to publish; and so wrought upon the seamen, that they delivered up all their captains and other officers who refused to go to him upon his summons, and thought then to have carried their ships away, when it was too late, and whom he sent presently on shore to follow their own inclinations, and put other officers into their places. He used all the persuasions he could to sir John Mennes, whom he and every body loved, to induce him to continue his command under his new commission, which he refusing to do, he caused a boat to set him on shore, without permitting him to go to his own ship: and so all the officers took a new oath of fidelity to the parliament without any reservation. Rytheby and Stradlin were with two excellent ships upon the coast of Ireland for that guard, and were entirely devoted to the king's service; but they no sooner endeavoured to bring off their ships to the king, but they were seized

upon by the seamen, and kept prisoners, till they could be sent to land. And in this manner the king was fatally bereft of all his royal navy, in a time when their coming off might have turned the scale, and probably have disposed the parliament to hearken to terms of accommodation: for there were many who appeared as violent as the rest against the king, who therefore did it upon the belief that the king could never bring it to a war; and he no sooner appeared to have any advantage, and to be able to make any opposition, but they were glad to entertain any treaty; which the power of the rest could never sway them from accepting, though they easily deluded them in the prosecution of it. This loss made the most sensible impression upon the mind of the king of any that ever befell him.

There was at the same time another accident which fell out, that hastened the war sooner than was intended, and made it to be entered upon before there was any means ready to prosecute it. It is mentioned before, that after the accusing the six members of parliament, the lord Digby had transported himself into the parts beyond the seas, and was accused of high treason. He was of too active a spirit to be long quiet in any condition; and so, being in Holland when the king came to York, without advising with any of his friends, or knowing the king's pleasure in the point, he returned into England, and came thither. He passed as a Frenchman, and came first to the lodging of his friend Mr. Hyde, so perfectly disguised, that he did not only not discover him, but could hardly be persuaded that it was, even when he pulled off his periwig; and he walked after him as his servant, for some days in the town and in the court, and with his father the earl of Bristol, who told Mr. Hyde, as he was walking with him, that he had gotten a proper Frenchman to wait upon him, and asked him what service he put him to; and received, without farther curiosity, that answer that occurred. And in this concealment he had some audiences with the king, who retained much kindness for him, though he was sensible of the ill effects of his undeliberated counsels. If he could have concealed himself,

he might have been long enough unknown to all others; but he communicated himself to so many, that all men knew of his being there, and that his being so would quickly bring reproach and clamour upon the king; for yet there was no mention of a war, but all imaginations cherished of an accommodation with the parliament; against which there could be no greater prejudice, in the opinion of all men, than the lord Digby's presence about the king; so that not only such who had no reverence for him, but his best friends, and even the king himself, wished his absence, and believed his appearance there would be very unseasonable. He was the last man that ever apprehended any disesteem of himself, and did believe that all the world retained a value for him, which he believed he deserved; and so was willing to accept any varnish or colour that might cover the disesteem. Sir John Colepepper, who could dress any design in the most plausible appearances, complained to him with great openness and freedom, as a man with whom he had a perfect friendship, of the queen's remissness in Holland, in making provisions for the war, which she knew was inevitable: that if there were not some supply speedily sent, of arms and ammunition, the king would be compelled to give himself into the hands of the parliament, for all men would forsake him. He well knew the queen's affection and zeal, but imputed this omission and delay to those who were about her, as not only not diligent and industrious enough in such transactions, but men of pleasure, and unbent; who rather desired to spend all the money that could be got in less important things, than those which concerned the very being of the king. He lamented there being no one person about her majesty who took this matter to heart, and that would present the importance of it to her with that vivacity that was requisite, and would see that to be executed which the queen gave order for; and after he had desired him to consider of some fit person to be sent over to her majesty to that purpose; and after he had proposed some who he knew would not be thought equal to it by the other, he seemed to think of going over

himself in the errand; to the well despatching of which, he said, the king would own all the good success he was capable of receiving. And by these degrees he raised some present inclination in the lord (who desired to perform any great service, which others were not fit for) to make it his own work. Which he no sooner mentioned, but the other laid hold of, and told him, he was born to restore the king; extolled the infinite merit of the service, and parted not with him, till he had found a means of going together privately to his majesty, to whom he magnified the affection of the lord Digby, in being willing to expose himself to so much trouble and danger, to recover life again to his even expiring affairs. And the king appearing sensible of the benefit he should receive by it, the journey was so fully resolved upon, that there was afterwards no retiring from it. The next day, when he had with himself quietly deliberated the affair, and the engagement he was in, he discerned, that his being so generally known to have been in York, his so sudden retirement from thence would appear to all men to be an absolute banishment from the court; which, not being pressed by any other authority with which it would be fit for the king to comply, it must be interpreted to proceed from an utter aversion in the king himself, which (though not true) would blast his reputation in the world; and therefore, though he could not decline the voyage, he would find some expedient to give another kind of lustre to it. There were at the same time in the town Wilmot, and Ashburnham, and Pollard; all who were as obnoxious to the parliament, and stood charged by it under an accusation of high treason; and so their appearance in the court was as unseasonable as his, and would be liable to the same exception and reproach. They were all designed good commands in the army, Wilmot having been before commissary general of the horse, and the king had designed him again the same charge; and to the other, several commands among the horse and foot; O'Neile and Berkley being of the same company. If all these men together became absent from the court, it would be looked upon as some trust of importance,

and upon a reason not to be inquired into, since they could not be spared when the time should be ripe for action. How he might engage these to accompany him in his employment was his great work. He was well acquainted with them all, and had an absolute disposal of O'Neile, who had by a marvellous dexterity in his nature an extraordinary influence upon the rest. Him he directed to persuade the others to accompany him in his voyage to Holland for their own convenience and benefit. He related the occasion of his journey to the queen, and caused the employment to be a matter of as great moment as was possible; and as if the disposal of all offices and places depended upon the resolutions he should bring back with him, himself being to return with the first expedition, and with supplies of arms and money. He observed to him, that there was nobody about the king, or of near credit with him, upon whom they might entirely depend to promote their interest; that it would be good for them to fetch some fire from the queen to warm the king's affections towards them; which being done, they would be sure to be put into the present possession of all those honours and preferments which their hearts were set upon, and of which they pretended to have some kind of promise; and he undertook that the king would be very well pleased with their going this voyage. O'Neile was easily prevailed with, and he as easily prevailed with the rest, who were weary of having nothing to do, and promised themselves the accomplishment of all their wishes by the lord Digby's credit with the king and queen, and made no doubt of their returning with the first arms and ammunition; before the arrival whereof there was nothing for them to do at York. And so upon very short warning they all resolved the journey, and the next day, after he had undertaken the service to the king, he and all that company left York, and hastened to the sea-side, whither they had sent to provide a little bark for their transportation. When they had scarce been a day at sea, they met with the Providence, freighted with that supply of arms and ammunition as is mentioned before: and in that vessel Slingsby was em-

barked, a creature of lord Digby's; and recommended by him to the queen, to attend and prosecute the sending that supply; an active and a diligent gentleman, who went heartily about his business, having a perfect detestation of the parliament, for having deprived him of his master the earl of Strafford, whose secretary he was, and most entirely trusted by him. The vessels quickly came to understand what each other was, and the ship slacked her sails, to send their boat to the other, from whom they might receive instructions; and Slingsby came to confer with the lord Digby, and to deliver letters to him from the queen. All the persons in the little bark took the opportunity of the boat's return, and embarked themselves in the ship; the lord Digby only remaining in the bark, to peruse the letters he had received; before the doing whereof, he could not positively resolve whether he would continue his voyage for Holland, or return; and he kept colonel Ashburnham with him, the boat being appointed to return to them, that they might give each other advertisement what either were to do: and this continued so long, with sending often letters between the lord Digby and Slingsby, that they discovered the fleet to be in pursuit of them. There was then no time for irresolution. The Providence made all their sails into the river of Humber, and, as was said before, got into that shallow creek which preserved them. The bark made all the way they could to overtake the ship; but being no good sailer, before it could reach that creek, the long boats from the ship surprised it, and carried the vessel into Hull. The two prisoners, in this desperate confusion, had only time to dispose of those papers which might make their destruction more certain, and to agree upon such particulars as might be least prejudicial to themselves; the principal of which was, that they were strangers to each other, only met for their passage; the lord Digby being, both in his disguise and language, a natural Frenchman, and the other confessing he was English. It was towards the evening when they were brought to Hull, the lord Digby keeping under deck, as being wonderful sick, and desiring to rest there, till some

person might be sent to him who understood his language; which request he made by the interpretation of Mr. Ashburnham, who being of a very jolly humour, and the most dexterous in making himself acceptable to such kind of people, easily prevailed to be carried to a lodging, till he might attend the governor the next day; and seeming to take no other care of his new acquaintance the Frenchman, but that somebody might be sent, who understood French: which was presently done, there being an inferior officer of the garrison moderately versed in that language. The lord Digby desired him to go to the governor, and desire him that he would presently admit him to his presence; for that he had somewhat to impart to him that very much concerned the service of the parliament. Sir John Hotham knew enough of the intelligence the parliament held with France, to believe that he might from thence receive information of importance; so that he immediately sent for the Frenchman to be brought to him, himself enough understanding it, and his son being present with him, who had travelled later into France than he had done. The lord Digby was not more odious to many men than he was to Hotham, who perfectly abhorred him, for having deserted the party, on the behalf of the earl of Strafford: yet he foresaw that it was not possible for him to be long unknown. The company he was in, which went on board the Providence, would be known from the discourses of themselves, who had seen him and Ashburnham taken prisoners, and would be lamenting their misfortunes; and if he should not be discovered, his having been with them would at best cause him to be sent to London, whence he could never escape. Upon all which, as he was a man of wonderful sagacity and presentness of mind to get out of a danger, which he was not wary to prevent, he resolved upon a new way of concealing him. Being brought into a gallery, where the governor, environed with his officers, expected him; after he had entertained the company with the actions of the last campaign in France and Flanders, of which he could discourse very naturally, knowing the places

and the principal officers of both sides; and declared that the fame of a war in England like to be, had disposed him to come thither to offer his service, where he thought there might be want of officers, who had been acquainted with the profession; that he had been at York to apply himself to the king, but he found there was neither money or preparations there, to carry on any war, though they were far from desiring peace; and therefore he had endeavoured to transport himself back again, and from thence to pass to London, and to be disposed of by the parliament: and then desired the governor that he might confer with him alone. The other walked with him to the other end of the gallery, which was a little darker, and then he asked him in English, whether he knew him? He answered in some disorder, that he did not. He said, he thought so, and that he believed, being a stranger, he might easily obtain his liberty the next day, but that he resolved to owe his life to his generosity, rather than to his own good fortune; that he had always looked upon him as a man of honour, though they had sometimes differed in their opinions, and that he could not but know, that whatever errors he might have committed, he was prosecuted with more animosity than was just; and that he was assured he would never deliver him up a sacrifice to those enemies who would destroy him; and so told him his name, and that the other who was taken with him was colonel Ashburnham, a person well known, and not unacceptable to the governor. Sir John Hotham was so surprised with this discourse, that he looked pale, and trembled, and very hardly recovered so much composure as to tell him, that if they stayed long in conference it would raise some jealousy among the officers, and therefore that he would send him to a convenient lodging, and find some opportunity the next day to confer farther with him: and so, without saying or hearing more, he called to an officer, and bade him carry that Frenchman to such a house, where the master understood and spake French; and to take care that he wanted nothing; and so dismissing him, he told the officers that were present, that the Frenchman had im-

parted many things to him of importance, and that he had made many notable observations during the time he had been at York, and had given him more useful advertisements than all the persons employed by the parliament had done; and that if he liked him as well the next morning as he did then, he would persuade him to go again to the court, and after his return would send him to the parliament, who he knew would be very glad of such an instrument. It was a wonderful influence &c. *as in page* 164, *line* 23.

APPENDIX, D.

REFERRED TO IN PAGE 164.

TWO days after, he found opportunity to visit him as a stranger and a prisoner; and having the room to themselves, he lamented his own condition; that there was such a jealousy of him, that no delinquent was more narrowly watched; that his own son had contracted that animosity against the king, that no man was more violent, and therefore he was more trusted by the parliament than himself; and therefore that his lordship was to dispense with those wants of civility and respect, which he was not in a capacity to perform. But he told him, that he too well understood the great and implacable malice those men bore to his lordship, by whom the counsels and conclusions at Westminster were absolutely swayed; and that he was assured, if he should have the misfortune to fall into their hands, they would take his life from him without any forms or rules of a just trial, which for his part he thought to be against all conscience and justice; and therefore that he was resolved, though the discovery thereof would be his own ruin, not to have any hand in delivering him up into those bloody hands, but wished him to think of making an escape, which in few days, by the negligence of his guard, he would give him an opportunity for; and in the mean time, he would make him such short visits as he securely might, without giving the sharpsighted observers of his actions any advantage to both their prejudice; and so departed. The lord Digby finding this generosity from a constitution so unlike to have harboured it, thought least of his own escape, but how he might gratify sir John Hotham again by being a means to reduce him to his loyalty, and to incline him to re-

pair the mischief he had done: and so, as often as he came to him after, he took occasion to present to him the miserable condition the kingdom was like suddenly to fall into, by the passion and sinister designs of those at Westminster, with whom, he said, he wondered how he could comply, who had neither the same opinions or the same ends with the other: as in truth at that time sir John Hotham was as well affected to the government of the Church of England, and desired as little alterations in the laws of the land, as any man that had concurred with them, having at first complied with them out of personal animosity and spleen against the earl of Strafford, and being likewise obnoxious to the inquiry and punishment for many things done by him as high sheriff and deputy lieutenant, by those votes which they had passed upon businesses of that nature. Sir John Hotham replied, that his case was very hard; for when he undertook that trust, he did it with no purpose of disserving his majesty, and did believe the intentions of the parliament at that time to have been much better than he had now reason to apprehend; that he had written his mind so freely to those who governed there to incline them to moderation, that he had rendered himself suspected to them to that degree, that they had put officers and soldiers into the garrison, in whom they more confided than in him, and though he was still suffered to enjoy the title and style of governor, yet his power was very little, and they more trusted who were sent as a committee to overlook and observe his actions, amongst whom his son was the most furious: so that, being resolved not to join with them in any disloyal act against the king, he had reason to believe he should not continue long in any degree of favour with the parliament; and he had lately rendered himself so odious to the king that he had put him out of his protection. Then he made large expressions of his fidelity and devotion to the king, and excused his not opening the gates to let his majesty into Hull, by a message he had received from one very near his majesty, that he should have his throat cut as soon as the king entered the town. The lord Digby told him, that

how unfortunate soever that mistake (of which there was not the least ground, the king having at that time good inclinations to him, and depending much upon him) was to his majesty and himself, yet the merit of doing so important a service to his majesty as the rendering that place to him would be, would cancel all former disobligations, and engage the king to fix some such signal mark upon him of his extraordinary grace and favour, as might be equal to the service itself; that he had it now in his power not only to gratify his sovereign, and thereby to render himself, his family, and all his posterity, gracious and prosperous, but to preserve his country from a civil war, and the desolation which a civil war would bring. For it was evident the unreasonable propositions and demands of the parliament proceeded chiefly from their contempt of the king's weakness and want of power, as having neither port, harbour, or munition at his devotion; whereas if by his means he might be possessed of that town and magazine, it would at the same time give him possession of the entire affections of that rich and populous county of Yorkshire, and indeed of the whole north of England, whereby the parliament (the major part whereof did cordially desire peace, though they were swayed and corrupted by a few) would be induced to come to so reasonable a treaty with the king, who was firmly resolved to condescend to any thing that would really prove for the happiness of the kingdom, that an undoubted peace and good understanding between his majesty and his people would immediately ensue; of all which he would be looked upon by good men as the chief author and procurer. On the other hand, he must expect great misfortunes from the parliament, whose fears and jealousies would improve the least error he should commit into a notorious crime and delinquency, and if they wanted other matter, this very civility and generosity towards him, and the suffering a person so obnoxious to them, and impeached of high treason by them, to escape their fury and revenge, which could not be long concealed, would be a guilt sufficient to produce his ruin, and therefore he could not otherwise requite that excess of

humanity and friendship which he expressed towards him, than by persuading him, if he could not incline himself to a resolution of utterly quitting their service, and so being out of their power, by no means to venture the loss of his own head to save his, but to deliver him up to their utmost rage and malice.

These discourses passing frequently between them, sir John Hotham in the end seemed not so unresolved what to do, as unsatisfied that it was in his power to compass what he was enough resolved to venture. Most of the train-bands, which first constituted the garrison, were discharged, and their places supplied by volunteers, who were sent from Boston, and other factious and schismatical towns of Lincolnshire, or by companies from London, and such officers with them as were more heartily engaged in the service, and further trusted than the governor. In all matters of deliberation the committee had equal powers with him, and that consisted of men incapable of receiving any good impressions of affection and duty towards the king; and those employed themselves chiefly in observing and watching the affections of other men; and if they discovered either townsman or soldier more honestly inclined than would suit their purposes, he was immediately put out of the town; so that if sir J. Hotham had expressed or given the least hint of wishing the town in the king's hands, his majesty could not have received any fruit of that wish, and himself had been instantly secured from contributing thereunto. In the end, he foresaw, the longer he deferred it, the less able he should be to act any thing, and therefore he declared himself freely that he would serve his majesty, and take the first opportunity to publish that he meant so to do. He said, he had not, by not opening the gates to his majesty, committed any hostile act against him; that his trust was, and so the soldiers generally understood theirs to be, to keep the town for the king as well as for the parliament. If therefore the king would draw any force before the town to force it, plant his cannon with which he was now supplied, and make one shot into the town, and then summon him, he should be able,

in that hurry and confusion, to make it appear to the soldiers, that they could not defend it for the parliament without doing some hostile act against the king, nor resist his coming into the town without doing what would endanger the person and life of the king; which as for his part he was resolved, so he thought the garrison would not be guilty of; and by this means, he doubted not to be able to put the place into the king's hand.

Hereupon all things being agreed upon between them, sir John Hotham told the committee, that the Frenchman was a rare fellow, and was very desirous to serve the parliament, and had offered to go to York, and to return to him again; with a full discovery of the king's intentions, which by reason of the recommendations he had from the queen, and the acquaintance he had with some principal persons, who came now over with the ammunition, he doubted not to obtain. He demanded their opinions whether he should trust him, and wished them to consider the conveniencies they were probably to receive, if he proved honest, which by the secrets he had already imparted to him, he had a strong persuasion he would do, with the damage of his proving otherwise; so what benefit might accrue by his being kept prisoner he could not understand. They were all of the same mind, and concluded he should go; and so the lord Digby was suffered to go out of Hull, being sufficiently instructed by sir John Hotham, to whom he promised solemnly to return, as was most necessary; and especially premonished and engaged that the business should be intrusted to no person living but his majesty, sir John Hotham professing, that if it were communicated to any third person he would hold himself absolutely from any engagement; adding, besides the liberty of lord Digby, as another argument of his real intentions, some particular information of persons about the king, who were intelligencers for the parliament; and concluding that all his majesty's resolutions and counsels of moment were betrayed; and therefore passionately insisting upon the secrecy prescribed; and gave him a letter of credit to a friend in York, by which means his lordship

might give him notice of what resolutions should be taken before his own return. Hereupon the lord Digby in the same disguise came to York, to the great joy of those few friends who knew in what danger he had been; not one of which, nor his own father, who was then waiting on his majesty during the time of his stay there, knew by what means he had escaped, or had the least hint of the treaty with sir John Hotham; but having found opportunity to acquaint the king with the whole matter, and receiving his gracious promise that it should not be imparted to any other, he returned again as the same Frenchman to Hull, sir John Hotham much vaunting to the committee what an excellent minister he had got for the service of the parliament: and this was the true prevalent reason that carried the king to Beverley; though the other before mentioned, of making Hull the quarrel, and raising an army under that pretence, seemed to all men of that moment, that they inquired no further. But when, after twenty days stay there, (his majesty giving occasion to have it thought that he suspended all acts of hostility, upon the message brought by the earl of Holland, and in expectation of a reply to his answer,) it appeared plainly that the garrison of Hull was supplied with more soldiers from London; and that the train-bands of the country came not so numerously or so cheerfully in, as to justify any approach to the town, or to venture the cannon in such company, his majesty could not find any (though the officers and gentry then about him were enterprising enough) who thought fit that he should shew himself in so ill an equipage before the town, much less plant his cannon, it being evident by the affronts the garrison hourly did within the king's quarters, that the small body of train-bands were as inconsiderable in courage as number, insomuch that the danger of his majesty being himself surprised at Beverley seemed much greater (and no question, had not been difficult) than the hope of taking Hull by such an army; whereas, if that treaty with sir John Hotham had at the time of the king's first coming to Beverley been imparted to such a number as might have carried on the attempt, it is

very probable the design, so well laid, might have been executed. But as it was, the king finding himself not ready to make the experiment, and that the parliament was so far beforehand with him in preparations for war, he concluded that he must declare all the abettors of those rebellious proceedings rebels and traitors, and that he must enter into an open war with them, some other irruptions in the other parts of the kingdom not suffering his hostility to be contracted only against Hull; of which accidents and occurrences we are now to speak. We have remembered before, *as in page* 174 *line* 1.

APPENDIX, E.

REFERRED TO IN PAGE 178.

FOR the business of Hull ripening all the inclinations of both parties, and the parliament having chosen their general, and making haste to form their army, colonel Goring was again thought of, and declared to be lieutenant general of their horse, who by his letters still desired his correspondents (who were the lord Mandeville and others of that tribe) to spare his personal attendance as long as possibly might be, for that his presence with the garrison was very necessary for some longer time. But the jealousies were again grown towards him, not only from his free discourses, which were imputed to the licence of his nature, but from his entertaining many persons of honour and quality in the garrison of known disaffection to the parliament, and his raising of horse; besides that some who were really trusted by him with his intentions, gave intimation of his whole design; so that his friends at London, who began now to think themselves deceived, after two or three letters of excuse for his not coming when he was sent for, plainly sent him word, expressing still their own great confidence of his honour and integrity, (for I have seen the very letters sent to him by the lord Mandeville,) that except he came to London by such a day, the parliament would look upon him as revolted from them. Upon the receipt of which letters he could no longer dissemble his resolutions; and therefore calling his garrison together, he told them that what money they had lately received the king had sent to them, and if they would serve him, they should have all their arrears and increase of pay; that the differences between the king and the parliament were now grown to that height, that men could no

longer keep themselves from discovering which party he would serve; that he was trusted by his commission to keep the town for the king, which he would perform with his life; as many as were of that mind should be provided for by him, the rest (if there were any who would not serve the king) should be dismissed. Most of the soldiers, seeing yet no appearance of danger, promised fairly; yet some professing they would not bear arms against the parliament, were immediately discharged, and put out of the town. Then he assembled the mayor and townsmen, and made the same declaration to them; and they who expressed so much affection to the parliament, that he thought were not to be trusted, were likewise presently put out of the town. And then he returned answer to his friends at London, that he had, upon confidence of the upright intentions of the parliament, served them to a greater degree, and with more inconvenience and damage to himself, than most other men; but that he could not join in any act of hostility against the king, to which he was now invited: that he was intrusted by his majesty, by letters patent under the great seal of England, to keep the town for the king; and therefore in a time of so much danger, in which the safety of it might be in hazard, he conceived it would not stand with his duty to be absent from his charge. Hereupon he was immediately voted guilty of high treason, and a part of their new army sent under the command of sir William Waller, with all the train-bands of Hampshire, to besiege and reduce Portsmouth; the earl of Warwick having speedy direction to send so many ships as should be sufficient to keep any relief from being sent thither by sea. And, which is a circumstance not to be forgotten, the earl of Portland being governor of the Isle of Wight, and then sitting with them in the house of peers, was committed prisoner to one of the sheriffs of London, for no other reason but that he was an acquaintance of colonel Goring's, and that government (of which he was possessed by letters patent under the great seal of England for his life) conferred on the earl of Pembroke, in whom they could better confide; so untender

were they (notwithstanding all their discourse of law and privilege) of the interest and privilege of those members who concurred not with them in their furious opinions.

At the same time the marquis of Hertford, being in Somersetshire, inhibited the execution of the ordinance of the militia; and when they would, by the persuasion and encouragement of those who were by that authority named deputy lieutenants, (who were for the most part clothiers, and men who, though they were rich, had not been before of power or reputation there,) summon and awe the county upon that pretence, his lordship, being assisted by his brother Seymour, the lord Pawlet, sir Ralph Hopton, sir John Stawel, and all the principal gentlemen of that county, declared his resolution to suppress them by force, according to the authority the king had granted to him; and in the mean time with such horse as so many persons of honour, quality, and interest there had quickly gotten together, he dispersed great multitudes of them who were assembled near Wells. And thereupon his lordship, and three or four of the principal gentlemen with him, were solemnly impeached of high treason by the house of commons; and the earl of Bedford, their general of the horse, was sent down into the west, assisted with Mr. Hollis; and with a formed army of horse, foot, and cannon, which was sure to be strongly reinforced by the disaffected of Somerset, to apprehend the marquis and the other grand delinquents, and to reduce those parts entirely to the devotion of the parliament. And that his majesty might have nearer evidence of the state of the kingdom, and what he was to expect, the earl of Northampton and other persons of honour, executing the commission of array in Warwickshire where the lord Brooke governed, and to his power advanced the militia, having put a strong garrison into his own castle at Warwick: but the ordnance, which were coming from London for the better fortification of that castle, were intercepted by the earl at Banbury, and by a handful of men, and those on horseback too, were taken out of the castle of Banbury; John Fiennes, a younger son of the lord Say, who

had the custody of them in that strong place, being persuaded, for avoiding the effusion of Christian blood, to deliver those unnecessary preparations for war; the which the earl was no sooner possessed of, than he said he would conduct them to the place for which they were intended; and so carried them to Warwick, and planted them against the castle: for which his lordship was likewise as volubly accused of high treason as the marquis of Hertford had been. So that the king seeing the kingdom on fire in many places, and so many of his faithful servants ready to be swallowed up by those whom he had not yet proclaimed to be rebels, he found it high time to remove from Beverley, and to profess a greater work than the reducing of Hull; for which he was yet so unready. And so he drew off his cannon, and the small force he had, (which were very few,) to York, to consider what was next to be done; being willing that the people of Yorkshire should believe that such alteration of counsel was not without a special care of them, lest, by his stay there, he might have made their county the seat of war, which he was resolved to carry farther from them. And within very few days after the king's return to York, sir John Hotham suffered the lord Digby, (still in disguise,) and after him colonel Ashburnham, to make their escapes; which were good instances that he would have done more, if the former design had been prosecuted. But after that, he pursued the interest of his new masters without any visible marks of other inclinations, till it was too late; of which in its place.

As soon as the king came to York, being assured from London that the earl of Essex's army grew apace, and that whole regiments, raised and designed (or pretended to be so) for Ireland, were by the authority of the houses drawn under his command, so that he was like to be ready within twenty days to march with an army, which they were confident would fetch up the king to London, and that they who had declared themselves for him in the west were like to be oppressed, by reason the people were persuaded that the king really approved what the parliament did, he re-

solved to lose no more time, but prepared to form an army; for the doing whereof he constituted a council of war, to sit every day. He had before declared the earl of Lindsey his lieutenant general of the army; and now he made sir Jacob Ashley sergeant major general; the lord viscount Grandison and the earl of Carnarvon had commissions to raise regiments of horse, which were in a good forwardness; and now he made Mr. Wilmot commissary general of the horse; reserving the place of general of the horse for his nephew prince Rupert, whom he every day expected. Then he published a proclamation, by which he declared the earl of Essex and all those who adhered to him to be traitors and rebels; published the commission granted by him to the marquis of Hertford, and required all his good subjects of those parts to assist his lordship and colonel Goring in the defence of Portsmouth, against all the rebels which should oppose either; and within two days after declared by another proclamation, bearing date the 12th day of August, that he would erect his royal standard at Nottingham on the 22d of the same month: and therefore required all well affected persons on the north side of Trent to repair thither, and to attend his person there on that day; from whence he resolved to advance forwards for the suppression of the said rebellion, and the protection of his subjects from that slavery and insolence which threatened them. Between these two proclamations which are mentioned, there was another, of a seeming contradictory nature, of the tenth of that month, inhibiting all popish recusants, or any other who refused to take the oaths of allegiance and supremacy, to resort to his army, disclaiming the service of all such; which appeared very strange to many, that, being ready to be swallowed up by so strong and powerful a rebellion, he should refuse the aid and assistance of any of his subjects who had the loyalty and courage to come to him, and of those who, being proscribed, and threatened to be extirpated by the rebels, and who already felt much of their tyranny, (the papists' houses in all places being plundered or pulled down, with all circumstances of rage, by the parliament soldiers,)

were most like to oppose them with equal animosity. For though there might be a narrow room left to some to doubt, whether the designs against the king, the church, and the law, were as bad as they seemed to be, there was no question but their resolutions were at least as severe against the papists as they pretended: and I very well know that those of that religion have excused their want of zeal and alacrity to the king's service throughout this rebellion, upon the king's disclaimer of their aid in that proclamation: but very unreasonably. All those objections and considerations were very obvious to the king at the time when that proclamation issued, when the crown seemed to depend upon a force presently got together of what men soever; but it was very plain, that the imputation raised by the parliament upon the king, of an intention to bring in, or, which they thought all one, of conniving at and tolerating popery, did make a deep impression upon the people generally, and upon those whose affections were very entire (if their judgments had been equal) to the preservation of the peace and constitution of the kingdom. The known great interest of the queen, and of those who were most powerful with her majesty; the public favours and connivance to the papists in general in the late years, and the boldness and insolence of those of that profession much more than heretofore; the entertaining a public and avowed minister here from the pope, and the having another resident for her majesty at Rome, inclined very moderate men to believe all the ill that could be spoken of the papists; and their strength and number was then thought so vast within the kingdom, (which without doubt was a great error,) that if they should be drawn together and armed, under what pretence soever, they might not be willing to submit to the power which raised them, but be able to give the law both to king and parliament; which, I say, was a very unskilful computation: however, it did prevail. On the other side, it was as confidently and as unreasonably believed, that if that foul scandal were removed, of his majesty receiving and entertaining papists, (which it was thought that proclamation

would do,) the parliament would not be able to raise an army, at least not to make it march against the king. So that in this conjuncture of time, his majesty had reason to believe, that the inhibiting that resort would for every fifty papists it kept from his majesty's army, supply him with one hundred protestants, whereas the contrary would have made an equal addition to the enemy: which was so like reason, (though not it,) that it was one of those impositions which the spirit and temper of that time necessitated his majesty to submit to. Yet even at that time he took care that the principal persons of that profession, and they who were supposed to have an influence upon the rest, should know, that the act proceeded not from any signal displeasure against them, but out of conformity to that jealousy which themselves could not but observe his majesty was even obliged to comply with; and that it was indeed an act of great kindness and indulgence to them, that in the entrance into a war his majesty would not draw that party into so much envy (with the weight whereof they were already enough oppressed) as to have them taken notice of as a part of his strength. If a war should be prevented by a treaty and accommodation, they would find the benefit of such a reservation; if otherwise, and both parties were engaged in blood, he would expect they should with their utmost strength and united powers come to his assistance, according to the duty of subjects. In the mean time they might better serve him by their purse than their presence, which in truth (notwithstanding the formality of that proclamation) was no otherwise discountenanced, than by not granting commissions for eminent command to men of that religion. Such as without noise were willing to list themselves as volunteers in the service were willingly received; and some such there were; though generally (as was said before) they took that pretence to sit unconcerned in the present distraction; such of them as had the skill to shelter themselves in London, living with all the quiet and security that could be desired, very many governing, and the most active men amongst the rebels giving them assurance or in-

timation, that their main contention being for liberty of conscience, they should never deny that to others which they insisted on so much for themselves: and it is certain there was very little prosecution of the catholics in London, or any where else, otherwise than of those who were taken notice of to be inclined to the king's service.

Having thus published his resolutions and counsels, his majesty, for the better information of his people, set forth a very long declaration to all his subjects, wherein he remembered them of all the acts of justice and grace he had consented to on their behalf this parliament, by which they were in so happy a condition and security, that it would be their own faults if they were ever miserable. He told them many particulars of the miscarriage of those factious persons who then governed in the two houses of parliament, and to whose ill and ambitious ends the power and authority of those two houses was applied: how unreasonably they had imposed upon them, and traduced his majesty by their discourse of bringing up the army to London, and of other plots, of which there was no ground; of their preaching and printing seditious sermons and pamphlets; and named some parishes, to which some of them had commended lecturers who were mechanic men, and not in orders. He told them the reasons upon which he had been induced to accuse the lord Kimbolton and the five members of the house of commons of high treason, and remembered them of the unheard of proceedings thereupon, and of their driving his majesty by force from London; of all the other indignities and acts of violence he had suffered from them, and the pressures which the whole kingdom endured; and told them, they might see by what rules they should live, and what they were to enjoy, when those men had gotten the sway, who in the infancy of their power, and when there was yet left some memory of and reverence to the laws under which their fathers lived so happily, durst leap over all these known and confessed principles of government and obedience, and exercise a tyranny both over prince and people more insupportable than confusion itself. He said, all men

had heard those men say, that the alteration they intended, and which was necessary both in church and state, must be made by blood. Their principles by which they lived were destructive to all laws and compacts. Every thing was necessary which they thought so, and every thing lawful that was in order to that necessity. His majesty asked, what one thing he had denied, that with reference to the public peace and happiness was to be bought with the loss of the meanest subject? And yet what a sea of blood was the rage and fury of those men launching out, to wrest that from his majesty which, (he said) he was bound (if he had one thousand lives to lose in the contention) to defend? Nay; what one thing was there that makes life precious to good men which he did not defend, and these men oppose, and would ultimately destroy? What grievance or pressure had the people complained of, and been eased by his majesty; which was not now brought upon them in an unlimited degree? Was the true reformed protestant religion, sealed by the blood of so many reverend martyrs, and established by the wisdom and piety of former blessed parliaments, dear to them? His majesty appealed to all the world, (being called upon by the reproaches of those men,) whether his own practice, (the best evidence of religion,) and all the assistance and offers he could give, had been wanting to the advancement of that religion? On the other side, all his good subjects might consider and weigh, what pregnant arguments they had to fear innovation in religion, if those desperate persons should prevail, when the principal men, to whose care and industry they had committed the managery of that part, refused communion with the church of England, as much as the papists do; when such licence was given to Brownists, anabaptists, sectaries, and whilst coachmen, felt-makers, and such mechanic persons, were allowed and entertained to preach, by those who thought themselves the principal members of either house. When such barbarous outrages in churches, and heathenish irreverence and uproars even in the time of divine service and the administration of the blessed sacrament, were practised without

control; when the blessed means of advancing religion, the preaching of the word of God, was turned into a licence of libelling and reviling both church and state, and venting such seditious positions, as by the law of the land were no less than treason, and scarce a man in reputation and credit with those grand reformers who was not notoriously guilty of this; whilst those learned, reverend, painful, and pious preachers, who had been and still were the most eminent and able assertors of the protestant religion, were (to the unspeakable joy of the adversaries of our religion) disregarded and oppressed. Would men enjoy the laws they were born to? the liberty and property, which makes the subjection of this nation famous and honourable with all neighbouring kingdoms? His majesty said, he had done his part to make a wall of brass for the perpetual defence of them, whilst those ill men usurped a power to undermine that wall, and to shake those foundations which could not be pulled down, but to the confusion of the law, liberty, property, and the very life and being of his subjects? Had the people suffered under and been oppressed by the exercise of an arbitrary power, and out of a sense of those sufferings, his majesty had consented to take away the star-chamber and high-commission courts, to regulate the council table, and to apply any remedies that had been proposed to him for that disease; and had not those men doubled those pressures in the latitude and unlimitedness of their proceeding, in their orders for the observation of the law, as they pretend, and their punishing men for not obeying those orders in a way and degree the law doth not prescribe; in sending for the subject upon general informations without proof, and for offences which the law takes no notice of; in declaring men enemies to the commonwealth, fining and imprisoning them for doing or not doing that which no known law enjoined or condemned? Were the perquisites of the council table, the delay and attendance there, or at the high-commission court, the judgments and decrees of the star-chamber, more grievous, grievous to more persons, more changeable, more intolerable, than the sergeants'

and officers' fees, the attendance upon the houses, or upon committees, or than the votes and judgments which had lately passed in one or both houses? Though the sentences in other courts had possibly been in some cases too severe, and exceeded the measure of the offence, there had been still an offence, somewhat done that in truth was a crime; but now, declarations, votes, judgments passed upon the people for matters not suspected to be crimes till they were punished. Was the dignity, privilege, and freedom of parliaments (parliaments, whose wisdom and gravity had prepared so many wholesome laws, and whose freedom distinguishes the condition of his majesty's subjects from those of any monarch in Europe) precious to the people? Where was that freedom and that privilege, when the house of commons presumed to make laws without the house of peers, as they had done in their vote upon the protestation; and of the ninth of September, when the house of commons and the house of peers presumed to make laws without his majesty's consent? as they had done in the business of the militia, of Hull, and other particulars. Where was that freedom and privilege, when alderman Pennington and captain Venn brought down their myrmidons to assault and terrify the members of both houses, whose faces or whose opinions they liked not, and by that army to awe the parliament, when Mr. Hollis required the names of those lords who would not agree with the house of commons? Where was that freedom and privilege of parliament, when members of the one house had been questioned for words spoken in that house, and one freed, the other but reprehended by vote of the major part, were again questioned by the other house, and a charge brought against them for those words? Was honour, reputation, freedom, and civility to be esteemed? What causeless defamations had been raised and entertained upon persons of quality and unblemished estimation, upon no ground or appearance of reason, but because their opinions ran not with the torrent? What caresses had been and were still made to persons loose, vicious, and debauched, of no virtue, no

religion, no reputation, but of malice and ingratitude to his majesty? He said, their names would be easily found out, by all men's observation and their own blushes, though they should not have the honour of his mention. How had the laws of hospitality and civility been violated, the freedom and liberty of conversation (the pleasure and delight of life) been invaded by them? The discourses at tables, whispers in gardens and walks examined, and of persons under no examination, letters broken up, (his majesty's own to his dearest consort the queen not spared,) read publicly, and commented upon, with such circumstances as made Christendom laugh at our follies and abhor our correspondence. Was the constitution of the kingdom to be preferred, and monarchy itself upheld? Nothing could be more evident, than that the end of those men was, or the conclusions that must attend their premises must be, to introduce a parity and confusion of all degrees and conditions; several books and papers had been published by their directions, at least under their countenance against monarchy itself. He asked, whether it were possible for him to be made vile and contemptible, and his subjects to continue as they were, or that his just power could be taken from him, and they enjoy their liberties? He said, whosoever was a friend to the constitution of the kingdom must be an enemy to these men. After enforcing many considerations of this nature, and mentioning many extravagant acts done by them, he said, he had often expressed what his opinion and resolution was concerning parliaments. He had said, and would still say, that they were so essential a part of the constitution of the kingdom, that he could attain to no happiness without them, nor would he ever make the least attempt in his thought against them. He well knew that himself and the two houses make up the parliament, and that they were like Hippocrates' twins; they must laugh and cry, live and die together; that no man could be a friend to the one and an enemy to the other. The injustice, injury, and violence offered to parliament, was that which he principally complained of: and his majesty again assured all his good sub-

jects, in the presence of Almighty God, that all the acts passed by him this parliament should be equally observed by him, as he desired those to be which most concerned his rights. He said his quarrel was not against the parliament, but against particular men, who first made the wounds, and would not now suffer them to be healed, but made them deeper and wider, by continuing, fostering, and fomenting mistakes and jealousies betwixt body and head, his majesty and his two houses of parliament; which persons he would name, and was ready to prove them guilty of high treason. He desired that the lord Kimbolton, Mr. Hollis, Mr. Pym, Mr. Hambden, sir Arthur Haslerig, Mr. Stroud, Mr. Martin, sir Henry Ludlow, alderman Pennington, and captain Venn, might be delivered into the hands of justice, to be tried by their peers, according to the known laws of the land. If he did not prove them guilty of high treason, they would be acquitted, and his innocence justly triumph over them. Against the earl of Warwick, earl of Essex, earl of Stamford, lord Brooke, sir John Hotham, sergeant major general Skippon, those who should from that time exercise the militia by virtue of the ordinance, he said, he would cause indictments to be drawn of high treason, upon the statute of the 25 Edward III. If they submitted to their trial appointed by the law, and upon pleading their ordinances should be acquitted, his majesty had done. And that all men might know, that in truth nothing but the preservation of the true protestant religion invaded by Brownism, anabaptism, and libertinism, the safety of his person threatened and conspired against by rebellion and treason, the law of the land and liberty of the subject oppressed and almost destroyed by an unlimited arbitrary power, and the freedom, privilege, and dignity of parliament awed and insulted upon by force and tumults, could make his majesty put off his long loved robe of peace, and take up defensive arms. His majesty once more offered a free and gracious pardon to all his loving subjects who should desire the same, (except the persons before named,) and should be as glad with safety and honour to lay down those arms, as of the greatest blessing he was capable of in this world. But

if to justify those actions and those persons, any of his subjects should think fit to engage themselves in a war against him, he said, he must not look upon it as an act of his parliament, but as a rebellion against his majesty, and the law, in behalf of those men, and would proceed for the suppressing it with the same conscience and courage, as he would meet an army of rebels, who endeavoured to destroy both king and people; and he would not doubt to find honest men enough of his mind.

All thoughts were now applied to action, and the king himself resolved speedily to move southward. Calling therefore the persons of honour and quality of Yorkshire before him, he acquainted them with his purpose, and wished them to consider what was most in order to their own safety, and for the preservation of their country from the incursions of Hull; for the better doing whereof, he would leave the earl of Cumberland, the most popular and loved man of that country, to be his lieutenant, and would readily gratify them in consenting to any other propositions they should make on their own behalf; desiring only from them such a supply of arms as they could conveniently spare from their private armouries; for the public had no magazine, and that they would furnish some horse for the completing the prince's regiment. Some arms they did gather together, (not above four or five hundred;) for they durst not, for the unpopularity of it, think of disarming the train-bands, though they knew they would at best be useless to the defence of the county, if not employed against it; and would have been a full supply to his majesty, and furnished two or three troops of good horse for the prince's regiment; the titular command whereof was under the earl of Cumberland, but governed and conducted by sir Thomas Byron, a very valiant and experienced officer, and desired nothing else from his majesty, but that he would leave sir Thomas Glemham with them, to direct them in any preparations military, and to command under the earl of Cumberland, if they should be attempted by force; presuming they should be able, upon their own interest, and the good af-

fections of the people, to raise strength enough for their defence, if sir John Hotham from Hull should disquiet them. I cannot omit one circumstance at his majesty's leaving York, as an instance how different the passions of those, who really and cordially affected his majesty and his cause, were from theirs at London, who were devising his destruction. There were very few gentlemen, or men of any quality, &c. *as in page* 186. *line* 10.

APPENDIX, F.

REFERRED TO IN PAGE 204.

AND they could not have used a more powerful argument to the king, to get his consent, than that it would not be accepted. However he was with wonderful difficulty brought to it, by the unanimous importunity of the whole board; where, though there were some who in their judgments did not approve it, there was none durst speak against it; and sir John Colepepper, who had most credit with him, was as earnest to persuade him to it as any man; and the earl of Dorset was persuaded to concur in it, upon an assurance, that he should be one who should be sent with the message: and an opportunity to go to and return from London with safety was attended with many advantages, by their getting supplies of money to defray the great expenses they were at. In the end, being tired with the debate, the council sitting till it was very late, the king consented that there should be a message prepared against the next morning, and that the earls of Southampton and Dorset, with sir John Colepepper and sir William Udall, should carry the message, and deliver it to the houses whereof they were members; the lord Falkland being left at York, to take care for the sending the arms and ammunition from thence, which was not yet come to Nottingham; and then the earl of Southampton and sir John Colepepper were sent by the king to Mr. Hyde, to prepare the message against the next morning. The king was so exceedingly afflicted after he had given his consent, that he brake out into tears; and the lord Southampton, who lay in the bed-chamber that night, told Mr. Hyde the next morning, that the king had been in so great an agony that whole night, that he believed he had

not slept two hours in the whole night, which was a discomposure his constitution was rarely liable to in the greatest misfortunes of his life. The message was made ready in the morning, in a softer and calmer style, than his majesty had been accustomed to for some months, and the persons began their journey towards London the same day.

The king continued very thoughtful and sad, and cared not to be entertained with any discourse, which he did not usually avoid, and fixing his eyes upon Mr. Hyde in the gallery, shortly after the lords were departed, he called him, and walked with him to the other end of the room, and observed that he looked sadder than he used to do, and said he had reason, for that he had been drawn to do that which must make all men sad, who had any love and kindness for him: and thereupon, with a countenance that had indeed much of sorrow in it, he related all that had passed in the two days before, and said, if he could have gotten any one of his council to have adhered to him in the refusal, he would never in this condition have been prevailed with to have made an address to those who had used him so reproachfully. He told him, he had once thought to have sent for him, to have advised with him upon the point, and that he might divert Colepepper from pursuing it so warmly, and prevent the earl of Dorset concurring in the advice, upon whom his majesty thought the other had some influence; but he said he forbore to do so, out of kindness to him, and that he might not expose him to the displeasure he might probably have incurred by opposing it. However he resolved he would send no message but what he prepared; and therefore he had sent Southampton to him, and that he confessed he was better pleased with the message itself, than the thought of sending to them; and that he had so far preserved his honour (for which he thanked him) that he had used no mean and base expressions of condescensions to them; and then enlarged with many passionate protestations, that if they should upon this message enter upon any treaty for an accommodation, he would never consent to any particular that might be to the pre-

judice of any of his friends who adhered, of which he required him to assure all men with whom he could converse. Mr. Hyde answered, that he had not apprehended any of that trouble in his own countenance, which his majesty had taken notice of; yet that he could not say he was without it, for he had that very morning received news of the death of a son of his, which did affect him, though it would not disturb him long; but he assured his majesty that his message or sending to the parliament did not in the least degree disorder him: for though there might have been many objections made against it, and some apprehension, that any condescension at this time might give some stop to his levies, and discourage those who had a purpose to resort to him or to declare for him, and that men might naturally believe, that if a treaty should be consented to by the parliament upon this application from his majesty, it would not be afterwards in his power to deny his concession to whatsoever should be required of him in that treaty; and that the interest of all particular persons must be subjected to that public convenience and peace, for which he protested he was himself very cheerfully prepared, and expected as sour a portion as would be assigned to any man in England: yet there were on the other side many appearances of benefit that might accrue to his majesty from their carriage and refusal: of which he conceived one might be, that they would be so amused with this message, and an opinion that an entire submission would shortly attend it, that they would sit still, and perform no act of hostility, till the effect of it was known; which very sitting still would be of much advantage to him; (which his majesty said was a better argument than any that had been used to him:) and therefore, he said, he had nothing to do but to take all opportunities to persuade men, that it was very necessary for his majesty to send that message at that time; and to that purpose he had always the message in his pocket, which he had read to many, who confessed that it was better than they imagined; and that he gave copies of it to all who desired it, and which had already composed the minds of many.

He concluded with an earnest desire to his majesty, that he would compose his own countenance, and abolish that infectious sadness in his own looks, which made the greatest impression upon men, and made them think that he found his condition to be more desperate than any body else believed it to be. The king was very well pleased with the discourse, and told him he was a very good comforter; and that if he had as much credit with others as he had with him, as he doubted not he would have, the court would be shortly in a better humour.

The truth is, the consternation that at that time covered the countenance of most men cannot be imagined. The soldiers looked upon themselves as given up, and the war at an end. They who repaired to the king out of duty and conscience expected to be sacrificed to the pride and fury of the parliament, and the government both of church and state to be upon the point dissolved; and there were many others, who thought the message would do no good, but that the king and they must be destroyed in so unequal a war.

APPENDIX, G.

REFERRED TO IN PAGE 256.

WHILST this was preparing, the king made a journey to Chester, both to secure that place to his service, (which being the key of Ireland, was most necessary to be preserved in obedience to him,) and to countenance the lord Strange, who met with some opposition in those parts, to a degree he had not apprehended. When his majesty marched towards Shrewsbury, the earl of Essex, not knowing his purpose, went with his army towards Worcester, that he might keep himself between the king and London; and prince Rupert chanced to be at the same time in Worcester, as is mentioned before, when he was informed that some of the parliament forces were even at the gates. Whereupon he drew out those few troops of horse which attended him, that he might take a view of the enemy; and they were no sooner in view, than they were engaged mutually in a brisk charge. The earl of Essex had sent Nathaniel Fiennes with a regiment of his best horse to take possession of Worcester, where he intended to be that night with the gross of his army. They were more in number, and much better provided than the prince's troops, but they were, by reason of the hedges, too near each other to part, before either thought to engage, many of the prince's troops being dismounted, as not looking for an enemy; when the first troops, where the prince was, charged the other so fiercely, that though they who were in the front behaved themselves well, the colonel himself and the greater part of his troops were routed very easily, and pursued as far as was fit. Wilmot, sir Lewis Dives, and some other officers, were hurt, but very few of the king's men killed, and none of

name. Of the parliament side near a hundred were killed on the place; Sandys, and Wyndham, and Walton, and other officers of name, taken prisoners; whereof the first died of his wounds in few days after; and five or six cornets of horse taken. It was a brisk and a seasonable action, and made the prince's name and his troops terrible, and brake the spirits of the other as much; and did terribly break one of the best regiments of horse in that army. The prince understood by the prisoners how near the earl of Essex was, and therefore having come into the town that morning, and having nothing but horse there, and two or three companies of foot of new unarmed men, levied in the place, he drew all away from thence towards Bewly; but the earl of Essex meeting the marks and evidence of the defeat of his troops, and not knowing what reception he should find at Worcester, stopped his march, and did not enter that city in three days after this action. The king was at Chester when this fell out, whither the prince gave him notice of it, and sent the colours he had taken by his servant Crane, who was knighted for his news; and the king thought it necessary, in regard of the earl of Essex's being at Worcester, to return to Shrewsbury sooner than he intended, and before he had finished the business he went upon: and so the lord Strange suffered an affront at Manchester, and the town then shutting their gates against him, they continued in rebellion during the war: and at the same time the earl of Derby died, and the lord Strange succeeded him in that title.

APPENDIX, H.

REFERRED TO IN PAGE 258.

As soon as the earl of Essex came to Worcester, he found himself obliged to send to the king. The parliament found very sensibly that they had lost much of the people's veneration, by having rejected the king's proposition for peace, and that very many, who had talked loud, and were for raising an army, whilst they thought it impossible for the king to raise any, when they now saw the king was like to be in the head of an army too, repented heartily what they had done, and wished nothing more, than, to prevent the two armies meeting in battle; which could be no otherwise done but by a treaty; and they who had, as they believed, proceeded too far to be capable of security by any other expedient than by victory, and by reducing the king into the same straits he was in before he had an army, which they had no reason to despair of, were yet too wise to profess that they desired the war; but seemed only to wish for such a peace, as might be security to the people against all such oppressions as they had formerly undergone; and therefore they now prepared a message to the king, which should be sent to the earl of Essex, and by him to his majesty; and made the people believe that they had now made such an address to the king, as would prevent the shedding of blood, and that a peace would be quickly concluded. The earl of Essex sent this message from Worcester, by a gentleman who was only a trooper in his guards, one Fleetwood, a son of sir Miles Fleetwood, the same man who had afterwards so great power in the army, and was so much spoken of. This person, with a trumpet, came to Worcester, with a letter from the earl of Essex to the earl

of Dorset, in which the message was enclosed, the letter containing some civil expression of confidence, that he to whom it was directed did desire the peace of the kingdom, and to prevent a civil war; and therefore desired him to deliver that message to the king; which message renewed their old professions of duty, and how desirous they were to prevent a civil war, and to return to their obedience; and therefore desired him to withdraw from his evil counsellors, who had so much misled him, and to return to his parliament, who thought of nothing but to make him great and glorious. And in order to his safety, and to defend him from his enemies, they had appointed the earl of Essex to receive him, who would perform all the offices of respect and duty to him which could be expected; and when he was returned to his parliament he should find that all the professions they had made to him were very sincere. Though the king had indignation enough for such an invitation, it was not thought worthy of any answer from him, and the earl of Dorset did not think himself obliged by the employment, or by any expressions of their good opinion; and so it was concluded that the messenger should return without any answer.

Within little more than twenty days from the time that the king came to Shrewsbury, he was in a posture convenient to find out the enemy. Wales had yielded him two or three good regiments of foot, and some troops of horse; and Cheshire and Lancashire as many. The lord Grandison and sir John Byron had brought in their regiments of horse well completed, and the lord Digby had drawn together some troops of his. The greatest defect was, that many of the horse and foot were so much without arms, that some regiments of foot had not above two or three companies which had any arms, and the rest only had cudgels; and few of the horse had any firearms, and some without swords. However sitting still would bring no supply of that kind, and therefore the king resolved to march; and when he had got what he could from the train-bands, that the soldiers must do the rest upon the charge of the enemy,

with whom every body desired to encounter. And as on the parliament side, the opinion that the king could never raise an army was the true cause, was the true reason why they did raise one; and so the cause of the war, together with the general opinion that the parliament would never raise a rebellion: so on the king's side, the confidence that one battle would end and determine the war, in a total subduing one party, and extinguishing all the fire that kindled it, and consequently all counsels being directed to that one end of fighting, was the principal cause of continuing the war: whereas if the king had only stood upon the defensive in all places where he had power, and declined all occasions of fighting as much as had been possible, and so ordered all contributions and supplies of money to the equal support of the army, it would probably have succeeded better; and those divisions would sooner have fallen out in the parliament party, which at last ruined themselves, after it had first destroyed the king and ruined the kingdom. But the making head against a rebellion and the supporting a civil war, was so much above the comprehension of any man, that very few guessed aright what they would do, or could judge what was fit to be done by the king. The truth is, so many contrary causes contributed to the production of the same effects, that the prophecy of Esdras seemed to be accomplished in that time: *And salt waters shall be found in the sweet, and all friends shall destroy one another; then shall wit hide itself, and understanding withdraw itself into his secret chamber,* 2 Esdras v. 9.

APPENDIX, I.

REFERRED TO IN PAGE 271.

UPON Saturday the 22d of October, the king quartered at Edgeworth, the house of sir William Cherry; from whence the king resolved, having then no notice of the enemy, the next morning to march to a house of the lord Say, near Banbury, which was then garrisoned by the parliament forces, which lay in a very pleasant and open country. But about daybreak on Sunday the 23d of October, prince Rupert sent the king word, that the parliament army lay all quartered together about a village called Keinton, within three or four miles of Warwick; that there was a large field near the town, in which both armies might very well be drawn up; and therefore that he had appointed all the horse to rendezvous upon the top of the hill called Edge-hill, which overlooked the field and the enemy's quarters, where he would expect the king's pleasure; and if all the foot could meet there in any time, they might oblige the enemy to fight that day. The earl of Lindsey was quartered in a village, called Culworth, about a mile distant from the court, in which village likewise the earl of Dorset, the lord Falkland, sir John Colepepper, and Mr. Hyde were quartered, who quickly received advertisement from the general, of the posture things were in, and made all the haste they could to the king, who was gone from Edgeworth, leaving orders for all men to repair to Edge-hill. The army was quartered at so great a distance, that they could not quickly be drawn together, so that it was afternoon before they could be brought to the rendezvous, and were then to file down a very steep hill, where three horse could not go abreast together, till they came into

the field, which was large enough. The earl of Essex had no better intelligence of the king's motions, and the first notice he had was by the appearance of the king's horse in a body from the top of the hill. Some of his artillery, and some of his regiments, both horse and foot, were a day's march behind; but he found many objections in retiring to join with them, and therefore resolved to put himself in order to expect the king's army in the same place; and so put his whole body in battalia, within less than half a mile of the village, at very near a mile's distance from the hill, without moving till the king's army came to charge them. He had the entire choice of the ground, and was in battalia before one company of the king's went down the hill; and if he had chosen his place near the hill, it would not have been possible for the king's army to have drawn down that steep narrow way without infinite prejudice: but the enemy standing at so great a distance, there was no other inconvenience than in the long time that was spent in their descent; by reason whereof it was very near three of the clock in the afternoon before the battle began. It was as fair a day as that season of the year could yield, the sun clear, no wind or cloud appearing. The relation of that battle is not proper of this place, in which there were many notable accidents, which if they had been pursued by either side, would have produced other effects. Prince Rupert charged the right wing of the enemy's horse so furiously, that they bore not the charge, but turned and fled in all the confusion imaginable, few of that body looking behind them till they came to St. Alban's, and many of them fled to London with news of the total defeat; and the greater part of the king's horse which charged that wing pursued them so far, and they who did not, entertained themselves with the plunder of the carts and carriages, which were all in the village, that none of that wing could be ever rallied together that night, when there was need enough of their service. Wilmot had the command of the left wing, where were the lord Carnarvon, lord Grandison, and many other

gallant gentleman with their regiments and troops, who finding very little resistance from that party which they were to choose, many of them followed their friends of the right wing, to have a share of what might be gotten in the pursuit. And that which was worst of all, the reserve, which was intrusted to a very gallant gentleman, who had never been in action before, seeing no body of horse to charge, thought they might likewise follow the chase; and so pursued it accordingly: nor did that gentleman, who upon all occasions gave as great testimony and evidence of courage as any man, ever acknowledge that he had orders, or understood himself to be left with a reserve; so great a want there was of punctuality in that day's service. But if the horse of both wings had been contented with doing the business they were appointed to do, and had been less vehement in pursuing their enemy when they had quitted the field, that day had put a glorious end to the king's troubles and to the parliament's pretences; and the earl of Essex thought the work so near an end, that he alighted from his horse, and put himself into the head of his regiment of foot, with a pike in his hand, resolving to die there, and to take no quarter, as he confessed to the countess of Carlisle at his return to London. But the behaviour of the king's horse lost all those advantages; and the reserve of the parliament horse, commanded by sir William Balfour, a Scotchman, who is mentioned before, observing the field quitted by both their wings, kept themselves at a distance, moving up and down the field, and were taken to be the reserve of the king's horse, until they found an opportunity to do good service. The foot stood their ground with great courage; and though many of the king's soldiers were unarmed, and had only cudgels, they kept their ranks, and took up the arms which their slaughtered neighbours left to them; and the execution was great on both sides, but much greater on the earl of Essex's party; and the king's general, in the head of his regiment on foot, was come within little more than pistol shot of that body where the earl of Essex was,

(which was the thing he most desired in the world,) when Balfour with his reserve of horse charged the flank of that body of foot, and so broke it; and, whether from the horse or the foot, the earl of Lindsey fell, his leg being broke short off, and the lord Willoughby his son, being in the head of the king's regiment of horse-guards, which he commanded, making haste to the relief of his father, they were both taken prisoners, and the whole body of the king's foot exceedingly shaken and broken, which changed exceedingly the fortune of the day: and if that wing of horse had sooner began, when there were no other horse upon the field but the few gentlemen who attended about the persons of the king and the prince, he might have taken them both prisoners. When the king discerned how doubtfully affairs stood, he commanded the prince of Wales and duke of York, who were both very young, to withdraw to the top of the hill, attended only by his company of pensioners, and commanded Mr. Hyde to wait upon them, and not depart from them; and as they went towards the hill, the evening now approaching, they saw a body of horse, which they made no doubt was the king's, and so moved towards them, when sir Richard Grime, an equery of the king's, rode very little before, to know them, which he quickly did, and was beaten off his horse, and so well counterfeited being killed that he was presently stripped: all which being in the prince's view gave him advertisement what they were, so that he diverted his course to the other hand, and that body moved as quickly from him, being evidently in great apprehension; which if they had not been, the number about the prince was so very small, that they could have made very little resistance, if Balfour had charged them: so that the preservation of those two young princes was a great blessing of that day: and they had not been long upon the hill, before the king sent order that they should go to Edgeworth, where his majesty had laid the night before.

Though the king's horse sustained no loss, and they who followed the enemy too far yet returned before it was night,

either the officers would not or could not rally so many of them together as would charge that small reserve, which still went about the field without standing in any place to expect a charge. The lord Falkland, who in all such actions forgot that he was secretary of state, and desired to be where there would probably be most to do, had that day chosen to charge with Wilmot, who charged on the left wing, declining, upon the former expostulation, to be on the other wing with prince Rupert, used to protest that he saw no enemy that day of the horse that made any resistance, and observing that body under Balfour whole up and down, he spake to Wilmot that he might go and charge them, which the other seeming not to consider, he pressed him again; to which the other made no other answer but, "My "lord, we have got the day, and let us live to enjoy the "fruit thereof;" and after it was found, too late, what mischief that small body had done, and continued to do, the officers could not rally their horse together, albeit they were all in the field. From the time that the battle began, it was not above an hour and an half before the evening stopped the heat of the fight, and all men were content to stand still without making any advance; and the king continued upon his horse, with some of the lords and other principal officers about him, in no degree satisfied with the posture they were in. Though they were sure they could not have lost many of the horse in the action, they knew not what was become of them, and the foot appeared very thin, as long as they could be discerned by the light; and therefore they concluded they would be much thinner, when the darkness should cover their withdrawing. So there wanted not those who proposed that the king would draw off the field, and with as many horse as he could rally hasten into the west, and leave both the foot and the cannon to the enemy. Which proposition received so much countenance from some great officers, that many thought it would have been resolved upon; until sir John Colepepper, who had that day charged with prince Rupert with much gallantry, (as his courage was always unquestionable,) did oppose it

with great warmth and passion, and told the king he was ruined if he hearkened to it, which his majesty was not inclined to do, and so silenced the debate, declaring that he would not stir from the place till the morning; and so the night was passed, with inconvenience and trouble enough: for besides the expectation of a very melancholy prospect in the morning, the night itself was as cold as a very great frost and a sharp northerly wind could make it at that season of the year. Nor did the morning appear more auspicious; the troops of horse and foot appeared very thin, yet many, both officers and soldiers, who had sought warmer lodgings in the cold night, returned in the morning to see what was become of their friends; and so the numbers increased. The ordnance was all safe, and though the field was covered with the dead, yet nobody could tell to what party they belonged; and that which composed the minds of the soldiers most was, that the enemy's troops appeared as thin, as broken, and as dispirited as they could wish; so that they who could longest endure the station they were in, were likely to remain masters of the field. As soon as it was light, and the king had gotten a little sleep in his coach, whither he betook himself about daybreak, it was wished that the horse, which had yet endured no other shock than of the cold of the night, would make one brisk charge with that body of horse which remained of the enemy; but the officers, who without doubt had as much courage themselves as could be expected, had no mind to undertake for their men. They said, the bodies which were in view were rather an assembly of all the horse of the army, than regiments or troops under their officers, and so they knew not how to draw them out, or to depend upon them; that the horses were so weak that they would not be able to make a charge, and the men had not eaten or drank in more than four and twenty hours; in effect, that they had with much ado prevailed with them to keep the field, the king continuing there himself, but they much doubted, that as soon as it should be known that they were to renew the battle, many of them would directly run away. Upon

the whole matter, it was thought most counsellable, that they should be in as good a posture to receive the enemy as was possible, if they advanced, otherwise that they should only keep the ground, and expect what the enemy would do: and it was believed by many, then and after, that which side soever had assumed the courage to have attacked the other would have proved victorious.

In this interval, those things occurred to memory which had been forgotten, or rather which could not be executed according to former resolutions before the battle. The proclamation, mentioned before, was now delivered to sir William Le Neve, Clarencieux king at arms, who in his robe of office carried it towards the earl of Essex's army, as it stood still in the field, intending to have proclaimed it at the head of the troops; but he was met by a guard before he came thither, and charged upon his life, with pistols at his breast, neither to read any thing or to speak a word, being likewise blinded, and so conducted to the general, before whom he expostulated in vain of the indignity and injury done to his office, contrary to the law of nations, which the standers by laughed at; and when he began to read the proclamation, it was violently snatched from him with new reproaches and threats, if he presumed to say any thing to that purpose, or to scatter or let fall any of those proclamations. The earl of Essex asked him, whether the king and the prince were in the field; and when the herald said they were, and had been exposed to the same danger with the rest, he seemed not to believe it, and said he knew the king was not there: and if he had not really thought so, he would never have asked the question in the hearing of so many, who thereby were informed of what they had not before known or believed: for care had been taken, that the soldiers should think that they fought against those malignants who kept the king from the parliament, and that his majesty himself was not present in the field. The herald was suffered to stay very little time, and blinded again, and conducted by a guard to the outmost limits of the army; and so returned with the news of the death of the

earl of Lindsey, the king's general, and of many officers being prisoners, who were thought to be dead. The king remained in the field till the evening, and till the enemy quitted it and marched away; and then orders were sent to the foot and to the horse, to draw off to their former quarters, where they had been the night before the battle; and his majesty likewise repaired to Edgeworth, from whence he had gone on Sunday morning; not resolving till the next morning what counsel to pursue; and he rested likewise the next day, to be better informed of the enemy's motions, and that the soldiers might, by so much longer rest in their quarters, recover their spirits.

END OF VOL. III.

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